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NORMA GONSALVES,
Presiding Officer

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RULES COMMITTEE

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NORMA GONSALVES, Chairwoman

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1550 Franklin Avenue
Mineola, New York

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Monday, June 1, 2015
1:39 P.M

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A P P E A R A N C E S :

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III
Clerk of the Legislature

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1 Rules Committee/6-1-15

2 CHAIRWOMAN GONSALVES: Will the
3 legislators please take their seats so we
4 can begin? We will begin with the Pledge of
5 Allegiance. Legislator Dunne, please lead
6 us in the Pledge.

7 (The Pledge of Allegiance was
8 recited.)

9 CHAIRWOMAN GONSALVES: Today is
10 the committee session and we begin with the
11 Rules Committee. The first part of the
12 Rules Committee will be the contracts that
13 have been submitted properly with the
14 correct disclosures.

15 Once we do the contracts, we will
16 recess Rules and go on to the rest of the
17 committees and then come back to Rules for
18 the rest of the Rules agenda.

19 So, Mr. Muller, please call the
20 members of the Rules Committee.

21 CLERK MULLER: Legislator
22 Solages?

23 LEGISLATOR SOLAGES: Here.

24 CLERK MULLER: Legislator Jacobs?

25 LEGISLATOR JACOBS: Here.

1 Rules Committee/6-1-15

2 CLERK MULLER: Ranking Member

3 Abrahams?

4 LEGISLATOR ABRAHAMS: Here.

5 CLERK MULLER: Legislator Kopel?

6 LEGISLATOR KOPEL: Here.

7 CLERK MULLER: Legislator Dunne?

8 LEGISLATOR DUNNE: Here.

9 CLERK MULLER: Vice Chairman

10 Nicolello?

11 LEGISLATOR NICOLELLO: Here.

12 CLERK MULLER: Chairwoman

13 Gonsalves?

14 CHAIRWOMAN GONSALVES: Present.

15 CLERK MULLER: We have a quorum.

16 CHAIRWOMAN GONSALVES: Okay. We

17 shall begin with the first contract which is

18 A-22, a resolution authorizing the director

19 of Nassau County Office of Purchasing to

20 award and execute a contract between the

21 County of Nassau acting on behalf of Nassau

22 County Department of Public Works and

23 Everything Ice, Inc.

24 A motion, please.

25 LEGISLATOR DUNNE: So moved.

1 Rules Committee/6-1-15

2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. Who is here to speak on this? Thank
6 you, Mr. Schneider.

7 MR. SCHNEIDER: Good afternoon.
8 Brian Schneider from Public Works. This
9 item is to authorize and award a purchase
10 order for skating rink expansion at
11 Cantiague Park. The solicitation was made
12 through the bid board and also through
13 Newsday and this is for expanding the
14 existing rink and also installing a portable
15 ice net system which will replace the
16 existing chilling system at Cantiague Park.

17 CHAIRWOMAN GONSALVES: Are there
18 any questions for Mr. Schneider? Minority
19 Leader Abrahams.

20 LEGISLATOR ABRAHAMS: It's more
21 of a question to the committee. Our side,
22 as well as the County Executive, we
23 submitted a bill in regard to disclosure for
24 county contracts. And I believe that the
25 County Executive by executive order tried to

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2 get information regarding county contracts,
3 and at that time we had said that we weren't
4 going to do any contracts until there was a
5 disclosure bill that was in front of us.

6 That being said, the County
7 Executive provided the executive order. So,
8 my question to Mr. Schneider goes into the
9 effect of whether or not the questions that
10 were outlined by the County Executive's
11 executive order, which we don't believe go
12 far enough, so I have a list of questions
13 myself, on each and every contract that we
14 do today, are the items that were identified
15 by the County Executive's executive order,
16 do you have the answers for us today?

17 MR. SCHNEIDER: Yes, sir.

18 LEGISLATOR ABRAHAMS: Can I see
19 them, because I don't have them in the
20 backup?

21 MR. SCHNEIDER: It was in the --
22 the entire package had the vendor disclosure
23 form. The new vendor disclosure form.

24 LEGISLATOR ABRAHAMS: What I did
25 see was that most of the vendors checked no

1 Rules Committee/6-1-15

2 to using a lobbyist.

3 MR. SCHNEIDER: Correct.

4 LEGISLATOR ABRAHAMS: But that
5 doesn't help us because in the situation
6 which brought all of this upon Nassau
7 County, I don't believe Mr. Skelos, Adam
8 Skelos, was a lobbyist either, so that
9 doesn't help us.

10 What we need is something that's
11 more comprehensive which, I guess kind of
12 ties into some of the questions that I have
13 in terms of identifying individuals from
14 outside the county who may have communicated
15 to county personnel regarding this contract.

16 These are all substantive
17 questions which, I don't want to inundate
18 this body with outlining each and every one
19 of them, but if I have to I will, but the
20 bottom line is, we need to have a disclosure
21 bill that talks about the county personnel,
22 who they communicated with, with anyone from
23 outside county regarding this contract. Who
24 prepared the bid specifications for this
25 contract? Who was prepared by the county

1 Rules Committee/6-1-15
2 personnel or vendor? If so, by which
3 specific county employee?

4 These are substantive questions
5 which I don't believe that the backup that
6 we got from the County Executive's order
7 address.

8 MR. SCHNEIDER: I can only
9 respond to the vendor disclosure form and
10 the lobbyist forms that were provided to
11 every project manager in every department
12 through the County Attorney's Office. And
13 these forms were then passed along to every
14 vendor prior to submitting the documents to
15 the clerk of the leg for getting them on the
16 calendar.

17 LEGISLATOR ABRAHAMS: So let's do
18 it this way. Let me just go through a list
19 of questions and you can tell me whether or
20 not any of the communication occurred to the
21 best of your knowledge.

22 MR. SCHNEIDER: Sure.

23 LEGISLATOR ABRAHAMS: So, I'll
24 start off with my first question I talked
25 about before, please identify any

1 Rules Committee/6-1-15
2 individuals from outside the county who have
3 communicated with any county personnel
4 regarding this contract, if any.

5 MR. SCHNEIDER: None. None that
6 I'm aware of.

7 LEGISLATOR ABRAHAMS: And that's
8 to the best of your knowledge?

9 MR. SCHNEIDER: To the best of my
10 knowledge, that's correct.

11 LEGISLATOR ABRAHAMS: But I have
12 to think there was some communication.

13 MR. SCHNEIDER: It's very
14 possible. But I can only answer for my
15 involvement with this project.

16 LEGISLATOR ABRAHAMS: So, who can
17 speak to it to a greater degree?

18 MR. SCHNEIDER: It's possible
19 someone from the Parks Department may have
20 had some involvement or someone from
21 facilities management. Again, to the best
22 of my knowledge, there was no involvement
23 from DPW.

24 LEGISLATOR ABRAHAMS: Is there
25 anyone from the Parks Department or

1 Rules Committee/6-1-15
2 facilities management here today or just
3 yourself?

4 MR. SCHNEIDER: Not that I'm
5 aware of.

6 LEGISLATOR ABRAHAMS: I would
7 move to table because we can't even get an
8 answer to the first question in terms of
9 outside communication.

10 CHAIRWOMAN GONSALVES: All those
11 in favor of tabling the item?

12 (Aye.)

13 All opposed?

14 (Nay.)

15 The item is not tabled.

16 LEGISLATOR ABRAHAMS: Please
17 identify all county personnel who
18 communicated with anyone from outside the
19 county regarding this contract?

20 MR. SCHNEIDER: It would be
21 myself. Can you repeat the question, Kevan?

22 LEGISLATOR ABRAHAMS: Sure.
23 Please identify all county personnel who
24 communicated with anyone from outside the
25 county regarding this contract?

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2 MR. SCHNEIDER: Are you talking
3 specifically to this company or -- for the
4 contract in general, I made queries to other
5 facilities throughout the country that have
6 utilized this portable ice rink system.

7 LEGISLATOR ABRAHAMS: Okay. Did
8 you talk to anyone specifically at the
9 vendor?

10 MR. SCHNEIDER: During the
11 bidding phase, there were questions raised
12 about the work. Typically questions coming
13 from vendors when it goes out to the bid.

14 LEGISLATOR ABRAHAMS: What kind
15 of questions?

16 MR. SCHNEIDER: Is the site open
17 for examination? I believe we actually had
18 a prebid mandatory meeting. So, yes, there
19 was communication.

20 LEGISLATOR ABRAHAMS: Can you
21 tell us who was at the meeting?

22 MR. SCHNEIDER: I don't have the
23 sign-in sheet. But we do have a requirement
24 that every vendor who attends the meeting
25 before they're allowed to actually bid on

1 Rules Committee/6-1-15

2 the contract, they have to attend this
3 meeting. It's a mandatory meeting.

4 LEGISLATOR ABRAHAMS: I only have
5 about seven more questions. So we can go
6 through them. Who prepared the bid
7 specifications for this contract, and was it
8 prepared by county personnel, if so, or was
9 it prepared by a vendor? If so, which
10 specific county employee, if it was a county
11 employee that did it?

12 MR. SCHNEIDER: It was a
13 combination of myself, one person from
14 purchasing.

15 LEGISLATOR ABRAHAMS: Who was
16 that person?

17 MR. SCHNEIDER: Tim Fanaro.
18 There was another gentleman from DPW,
19 Anthony Marino.

20 LEGISLATOR ABRAHAMS: Any input
21 from any vendor?

22 MR. SCHNEIDER: There may have
23 been input from old contracts. So I don't
24 think there were.

25 LEGISLATOR ABRAHAMS: What do you

1 Rules Committee/6-1-15

2 mean by that?

3 MR. SCHNEIDER: You mean looking
4 at old contracts?

5 LEGISLATOR ABRAHAMS: Correct. I
6 mean any input from the vendor.

7 MR. SCHNEIDER: Not that I'm
8 aware.

9 LEGISLATOR ABRAHAMS: Was there
10 any input from any vendor, maybe not the
11 vendor you selected, but from any vendor?

12 MR. SCHNEIDER: Not that I'm
13 aware of.

14 LEGISLATOR ABRAHAMS: Did any
15 outside party participate in the preparation
16 of the bid specs? I guess the answer to
17 that would be no.

18 MR. SCHNEIDER: No.

19 LEGISLATOR ABRAHAMS: Not the
20 vendor, any outside party.

21 MR. SCHNEIDER: No outside
22 parties.

23 LEGISLATOR ABRAHAMS: Did any
24 public official from outside the county
25 communicate with the county personnel

1 Rules Committee/6-1-15

2 regarding the contract?

3 MR. SCHNEIDER: No.

4 LEGISLATOR ABRAHAMS: Did any
5 political officer from outside the county
6 communicate with the county personnel
7 regarding the contract?

8 MR. SCHNEIDER: No.

9 LEGISLATOR ABRAHAMS: This is to
10 the best of your knowledge or this is
11 unequivocally?

12 MR. SCHNEIDER: To the best of my
13 knowledge.

14 LEGISLATOR ABRAHAMS: Again, the
15 individuals from facilities management or
16 from the Parks Department can probably speak
17 to a greater degree?

18 MR. SCHNEIDER: Correct. I can't
19 speak for them.

20 LEGISLATOR ABRAHAMS: I
21 understand. So, which would renew my
22 request to table again.

23 Is any officer, owner, or senior
24 manager of the vendor a political party
25 officer, to the best of your knowledge?

1 Rules Committee/6-1-15

2 MR. SCHNEIDER: No.

3 LEGISLATOR ABRAHAMS: Okay.

4 Again, I think Brian has indicated that
5 because of his limited knowledge on this
6 particular item, I will request that we
7 table again until we are able to get the
8 proper answers so I make a motion to table.

9 LEGISLATOR JACOBS: I second.

10 CHAIRWOMAN GONSALVES: All those
11 in favor of tabling the item, signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The motion to table fails. I
17 can't call the question unless I ask for
18 public comment on this item. Excuse me, the
19 public shall wait. Excuse me, Mr. Boitel,
20 Legislator Solages has a question.

21 LEGISLATOR SOLAGES: Brian, when
22 you respond "not that I'm aware of," did you
23 personally ask all of the employees at DPW
24 whether or not they had been approached by
25 the vendor or anyone?

1 Rules Committee/6-1-15

2 MR. SCHNEIDER: No.

3 LEGISLATOR SOLAGES: I mean, when
4 you answer "not that I'm aware of" I
5 understand your position, you cannot answer
6 for others but I'm just concerned here that,
7 going forward, my colleagues and I have to
8 ask these questions in order to make sure we
9 don't have a repeat of that scandal that has
10 really tarnished a lot going on in our
11 county and our state.

12 This is unfortunate that we have
13 to ask these questions and we are hoping
14 that just the procedure and transparency
15 that occurs here where we have more
16 confidence in the way we do business here.

17 Do you understand why we are
18 asking these questions?

19 MR. SCHNEIDER: I understand
20 completely. Is that a question for me?

21 LEGISLATOR SOLAGES: It is a
22 question for you. We want -- not you
23 personally, but we want greater disclosure
24 here and I'm concerned that, even for this,
25 for example, even before we can start

1 Rules Committee/6-1-15

2 questioning the merits, I want to make sure
3 the procedure was kosher. Do you
4 understand?

5 MR. SCHNEIDER: Yes.

6 LEGISLATOR SOLAGES: As for this
7 ice rink that we are talking about; is that
8 correct?

9 MR. SCHNEIDER: Yes.

10 LEGISLATOR SOLAGES: What is the
11 current size of this ice rink and what are
12 we expanding it to?

13 MR. SCHNEIDER: The current size
14 is 185 by 85. We are expanding it to 200
15 feet.

16 LEGISLATOR SOLAGES: Has there
17 been a need for this, have people been
18 demanding for an increase in the size, how
19 did this come to be?

20 MR. SCHNEIDER: 200 foot rink is
21 an official NHL sized rink. Even though
22 there is no NHL activity going on there
23 currently, college tournaments can't be
24 scheduled at this location because it does
25 not meet the current standards for size.

1 Rules Committee/6-1-15

2 LEGISLATOR SOLAGES: Don't we
3 have two other NHL sized rinks? Isn't that
4 sufficient?

5 MR. SCHNEIDER: Well, in this
6 location we do not. This rink is 185. For
7 this territorial area, it kind of limits the
8 use of the facility. This is coming from --

9 LEGISLATOR SOLAGES: It's only
10 ten minutes away.

11 MR. SCHNEIDER: It's coming from
12 the park manager who has indicated that the
13 rink should be a regulation size.

14 LEGISLATOR SOLAGES: But why that
15 size? Are we trying to attract an NHL team
16 here?

17 MR. SCHNEIDER: For potential NHL
18 practices, it needs to be the proper size.

19 LEGISLATOR SOLAGES: Is this an
20 attempt to lure the Islanders back?

21 MR. SCHNEIDER: I think the
22 County Executive in his State of the County
23 Address that that is one of his goals.

24 LEGISLATOR SOLAGES: Frankly
25 speaking, that's too little too late. We've

1 Rules Committee/6-1-15

2 lost the opportunity to keep the Islanders
3 here. Unfortunately the town dropped the
4 ball on that. And now we are trying to
5 extend our ice rink by 15 feet at a cost of
6 \$300,000.

7 MR. SCHNEIDER: It's not just
8 expanding the rink at that cost. It's
9 replacing the chilling component of the ice
10 rink itself. It's a portable ice rink mat
11 that will replace the existing ice rink.

12 LEGISLATOR SOLAGES: But
13 currently there is no problem with the
14 cooling system, there's no problem?

15 MR. SCHNEIDER: That's not
16 entirely true. There are leaks in the
17 system which are problematic. So this
18 portable system will replace the piping
19 system that's encased in concrete. So there
20 is a problem with the lines in the concrete.
21 You basically have to melt the ice, chop up
22 the concrete and find the leak. You don't
23 have to do this with this portable system.

24 LEGISLATOR SOLAGES: Going back
25 to the comment that you mentioned from the

1 Rules Committee/6-1-15

2 County Executive that he hopes to keep the
3 Islanders or bring them back.

4 Are you aware that after that
5 statement the NHL Deputy Commissioner voiced
6 that the hope that the NHL had been given no
7 indication by the Islanders or anybody else
8 that the move to Brooklyn is or will be
9 temporary? Are you aware of such a comment?

10 MR. SCHNEIDER: I read it in the
11 paper just like everyone else did.

12 LEGISLATOR SOLAGES: I
13 understand. What is the utilization of the
14 existing ice rinks? Talk about that because
15 I really want to know about that.

16 MR. SCHNEIDER: Are you talking
17 about Cantiague Park specifically?

18 LEGISLATOR SOLAGES: Yes.

19 MR. SCHNEIDER: Cantiague Park
20 has numerous high school leagues that
21 participate there. They have open public
22 skate. They have camps that run throughout
23 the summertime and the wintertime as well.

24 It is heavily used according to
25 the park manager, Mark Lamar, and the parks

1 Rules Committee/6-1-15

2 department. But this is something that they
3 have requested, if replacing the chilling
4 system and making the boards regulation size
5 for NHL standards would be something that
6 they would want to pursue.

7 LEGISLATOR SOLAGES: Thank you.

8 CHAIRWOMAN GONSALVES: Legislator
9 Jacobs.

10 LEGISLATOR JACOBS: Brian, I have
11 a couple of things to say. Number one, I
12 feel badly that you are here today because,
13 I mean, when we drafted our concerns, we
14 would have expected that what was going to
15 be put in front of this body would have
16 reflected those concerns.

17 If it doesn't reflect those
18 concerns, then we have a responsibility to
19 get those answers one way or the other but
20 we have to get the answers before we can
21 possibly vote yes. And I've known you a lot
22 of years. I'm not doubting when you say "to
23 the best of your knowledge" nothing
24 happened, but that is really not the actual
25 answer, not for you to say, you can only

1 Rules Committee/6-1-15

2 talk to the best of your knowledge.

3 But the truth of the matter is,
4 there has to be somebody at the top who
5 says, not only to the best of my knowledge,
6 it never happened. That's not what anyone
7 is hearing right now. I don't blame you.
8 If I was you, I would be saying to the best
9 of my knowledge too, because you can't vouch
10 for the entire county, but somebody should
11 be able to whether it's upstairs in this
12 building or whether it's where Public Works
13 is. But somebody has to be able to have
14 that statement on the record that this is
15 so.

16 I just want to get to the ice
17 rink for a minute. The way I understood
18 what was being explained was that the
19 indications are that the Islanders would use
20 Cantiague for their practices, and their
21 offices in fact would be moved to the
22 Cantiague area geographically. Do you
23 disagree?

24 MR. SCHNEIDER: Yes. Well,
25 nothing has been officially proposed or

1 Rules Committee/6-1-15

2 presented, but all indications are that it's
3 headed in that direction.

4 LEGISLATOR JACOBS: So, that
5 being said, does that in and of itself
6 explain why they need a larger rink?

7 MR. SCHNEIDER: Well, yes, you
8 don't want to put the cart before the horse,
9 but --

10 LEGISLATOR JACOBS: I understand.
11 And, if this goes through, when do you
12 expect this to be done?

13 MR. SCHNEIDER: We should be up
14 and running by this October.

15 LEGISLATOR JACOBS: So, and this
16 may not be your problem, but for someone who
17 has that district along with Legislator
18 MacKenzie, what does that do to Ice Works in
19 Syosset? Does that mean the Islanders make
20 a decision to not use that facility any
21 longer?

22 MR. SCHNEIDER: Legislator, I
23 can't answer for that. I don't know what's
24 happening.

25 LEGISLATOR JACOBS: We're going

1 Rules Committee/6-1-15

2 to have to do some research on that too.
3 Listen, it's their choice. Better for us if
4 it's in ours. But I just think that's
5 really what's going on here. Where they
6 were getting prepared for that not to become
7 fictional but to become a reality, at least
8 practice here.

9 MR. SCHNEIDER: That's the
10 direction that we are heading.

11 LEGISLATOR JACOBS: Does this
12 include more seating or stands or anything
13 like that?

14 MR. SCHNEIDER: This particular
15 project, no. I'm not sure. That's really
16 the only thing I can say.

17 LEGISLATOR JACOBS: I would
18 assume that that would be something for
19 sport fans, our Islander fans, would
20 appreciate. But thank you. I just wanted
21 to explain to you why we're so concerned.

22 MR. SCHNEIDER: I understand,
23 legislator.

24 LEGISLATOR JACOBS: Because just
25 going back to what was is not going to solve

1 Rules Committee/6-1-15

2 the problem that it became.

3 LEGISLATOR SOLAGES: Madam
4 Presiding Officer, just one more question I
5 have.

6 CHAIRWOMAN GONSALVES: Legislator
7 Solages.

8 LEGISLATOR SOLAGES: Thank you
9 very much, Presiding Officer. Is there a
10 commitment currently by the Islanders to use
11 this facility as a practice facility?

12 MR. SCHNEIDER: I can't answer
13 that, legislator. I don't know.

14 LEGISLATOR SOLAGES: So that's
15 not a yes.

16 MR. SCHNEIDER: It's an I don't
17 know.

18 LEGISLATOR SOLAGES: I'm looking
19 for a commitment here. Why should we spend
20 \$299,407 plus the borrowing costs based on
21 the unfounded hope if we don't have a
22 commitment from them that they are going to
23 come here.

24 MR. SCHNEIDER: And, as I did
25 indicate, there were issues with the

1 Rules Committee/6-1-15

2 reliability and maintenance of the facility
3 going forward.

4 LEGISLATOR SOLAGES: Can someone
5 from the administration to come and speak on
6 this? It's a lot of money. Is it possible,
7 Presiding Officer, that you could please ask
8 for someone from the administration to come
9 down? I have this question plus also I have
10 other questions. Such as, what would the
11 rental fee be for this rink? I have a lot
12 of questions here.

13 CHAIRWOMAN GONSALVES: Just be
14 patient while I get to Legislator Dunne.

15 LEGISLATOR DUNNE: Isn't it true
16 that every hockey team on the island is
17 dying for ice time?

18 MR. SCHNEIDER: Absolutely.

19 LEGISLATOR DUNNE: Aren't the
20 hours incredible over at Cantiague that they
21 are using right now?

22 MR. SCHNEIDER: It's being
23 overused actually.

24 LEGISLATOR DUNNE: So
25 maintenance, just normal maintenance alone,

1 Rules Committee/6-1-15

2 we were going to have to do this, no matter
3 what, whether the Islanders come or not,
4 this has to be done, correct?

5 MR. SCHNEIDER: We believe it
6 needs to be done.

7 LEGISLATOR DUNNE: So it has
8 nothing to do with the Islanders, it has to
9 be done. Every team that has practice, that
10 has games, are dying for time there. So
11 this has got to be fixed.

12 MR. SCHNEIDER: That's why we are
13 before you.

14 LEGISLATOR DUNNE: So the
15 Islanders question is just an add on fluff,
16 it has nothing to do with what's needed at
17 that facility, correct?

18 MR. SCHNEIDER: That's correct.

19 LEGISLATOR DUNNE: Thank you.

20 CHAIRWOMAN GONSALVES: Just to
21 answer one of your questions regarding the
22 fees, you know that the fees for this
23 facility as well as others is established by
24 ordinance? So you can find out what those
25 fees are just by looking at or exploring or

1 Rules Committee/6-1-15

2 investigating the ordinance.

3 LEGISLATOR SOLAGES: But I would
4 still like to know from the administration
5 if they are aware of any commitment by the
6 Islanders to use that facility. Also --

7 CHAIRWOMAN GONSALVES: Hold on.
8 Legislator Solages, we are getting off
9 track. I think we should stay on the item.
10 And if we need to get those answers, we can
11 get those answers for you but I don't think
12 it would be germane to this particular
13 contract. If there's anybody from the
14 administration who wants to contact you, I
15 think they should.

16 LEGISLATOR SOLAGES: I just see
17 no justification being given on this as to
18 why we should expand the ice rink.

19 CHAIRWOMAN GONSALVES: Well, I
20 think Mr. Schneider did say, he testified to
21 the fact that this particular facility is in
22 need of help. Would you go on with that,
23 please?

24 MR. SCHNEIDER: Yes. And not
25 only that but the capital plan which you all

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2 approved basically included the ice rink
3 improvements as part of the capital plan.

4 MR. ARNOLD: Yes. The bond
5 ordinance that was approved a session or so
6 back included work for all three ice rinks,
7 and this including it. It's an offshoot of
8 bringing Cantiague up to speed, it includes
9 making --

10 LEGISLATOR SOLAGES: Just to be
11 clear, that was before that we knew the Twin
12 Rinks would go bankrupt. That was before
13 that occurred.

14 MR. ARNOLD: Regardless if Twin
15 Rinks go bankrupt or not, our ice facilities
16 needed to be upgraded which is why we
17 brought this bond ordinance to this body.

18 CHAIRWOMAN GONSALVES:
19 Mr. Schneider, just stay there until -- I
20 know that you wish to speak, Mr. Boitel, but
21 in case -- remember one thing, and I didn't
22 mention it before. When the public speaks,
23 it's your turn to comment. However, it's
24 not a question and answer period or a debate
25 between the public speaker and this body.

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2 So I ask you to, if you a comment
3 regarding this contract, or any other
4 contract that's on the agenda today,
5 Mr. Boitel, please feel free and let us hear
6 your voice.

7 MR. BOITEL: Thank you, ma'am.
8 Henry Boitel, Rockville Centre, New York. I
9 think there was a big hole in the discussion
10 that's just taken place. You're talking
11 about a \$299,000 contract. But the next two
12 contracts are also for ice rinks and they
13 total \$2 million. I question whether these
14 things should be considered in isolation. I
15 also question in view of the fact that there
16 was no comment about the \$2 million, whether
17 this legislature has been adequately
18 prepared and informed so that they can have
19 an intelligent discussion concerning this
20 sort of thing.

21 The legislation that has been put
22 before you today and the documents that have
23 been put before you today for your
24 consideration are a pile that is about two
25 feet high. I don't see that pile here.

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2 Maybe you have it under the desk someplace.
3 But a lot of that stuff was just distributed
4 in hard copy form just in the last day or
5 so, some today. I don't know how you could
6 have possibly gone through that material
7 covering your agenda in view of all the
8 present things going on with contracts in
9 this short period of time.

10 Now, I have to compliment the
11 clerk's office because they do a yeoman's
12 job of getting this material out when they
13 get it at the last minute from the County
14 Executive.

15 As I understand it, it then goes
16 for some reason it's not clear to me, not to
17 each of you, but to the respective counsel
18 for your majority and minority.

19 I don't think there is any public
20 record as to if and when you individual
21 legislators, the only people elected here,
22 ever receive this material.

23 None of you who sit on this
24 committee, as I understand it, have degrees
25 in finance or accounting or in public

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2 administration. So you must be relying upon
3 someone. There is nothing I could find in
4 the public records that show that any of
5 your staff people have degrees or expertise
6 in that area.

7 I know you have an office here of
8 budget review, but, as far as I'm aware, you
9 have not asked for and they have not given
10 any consideration concerning these numerous
11 contracts you are listening to today or
12 determining today, or the material that
13 supports it.

14 So the real question is, not the
15 way the minority is doing it here why where
16 they made some recommendations or complaints
17 and now they are asking individual
18 questions, you people have to set up a
19 system which provides you using modern
20 technology information so you can get at
21 these things quickly, so your staff can do
22 it. And you haven't done it. None of your
23 forms, like the form on this contract, to
24 keep it here, none of these forms are set up
25 in a way that they can be instantly

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2 electronically parsed. Everything is time
3 consuming and subject to individual persons
4 who happen to be working on this stuff.

5 CLERK MULLER: Mr. Boitel, your
6 three minutes have expired.

7 MR. BOITEL: So my point is, that
8 whether it be this item or whether it be the
9 whole range of things you are considering
10 today, you are not properly resourced in
11 order to make the kinds of judgments which
12 are going to save this county the money and
13 get this county the value which it requires
14 particularly in these difficult times.

15 We have submitted and we are
16 going to submit more proposed resolutions
17 not so that you individually question every
18 time something comes up and a debater's
19 point kind of situation, but a form that you
20 require that is electronically compatible so
21 you can pull things out of it so you can
22 come into the modern age.

23 You people, and when I say "you
24 people," I'm not blaming any of you
25 individually, but this county is so far out

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2 of the modern age that it's ridiculous.

3 LEGISLATOR NICOLELLO: Let me
4 just answer several of the issues that you
5 raise because you seem to be under a
6 misunderstanding of a variety of things.

7 Number one, in terms of why there
8 is not a pile of material in front of each
9 of us. Back in the day, when we started, we
10 used to actually get a pile of items that
11 would stretch to 6, 7, 12 inches high. It's
12 all provided on disk now.

13 These items in particular were
14 provided to the legislators Wednesday. So
15 we've access to each of the individual items
16 on the regular calendar from these four,
17 five days.

18 The addenda items are provided to
19 our offices usually Friday and they're
20 loaded onto computers and we can view it at
21 any point.

22 Also, many of us go to P.C.com.
23 So, in other words, we don't have to
24 physically be here to actually review these
25 documents and many of us review these over

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2 the weekend, Friday night, Monday morning,
3 so each legislator has an opportunity to
4 review every item on the full backup before
5 these meetings take place, number one;

6 Number two, we have staff, both
7 the minority and majority, that go through
8 these items, that vet these items, that ask
9 questions, they call the different
10 departments. We have, on the majority side,
11 have people versed in finance. We have
12 people versed in the law.

13 So each of these items, before
14 they come up before the legislature, are
15 thoroughly vetted. Again, we have access to
16 every bit of the information that's in these
17 items, and if we don't feel comfortable with
18 what we have, we don't call it.

19 MR. BOITEL: I appreciate
20 everything that you've just said because I
21 have been following the process very
22 closely.

23 However, what you have not noted
24 is that all of these documents that are
25 submitted to you, or practically all of

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2 them, are not even searchable. In other
3 words, they're graphic pictures that you get
4 even when you get it electronically, they're
5 not even made searchable.

6 You are talking about, not a
7 stack, you said maybe eight or nine or ten
8 inches high. I saw the latest addendum.
9 The latest addendum is 18 inches high. My
10 point is -

11 LEGISLATOR NICOLELLO: I would
12 rather have it searchable also but it
13 doesn't prevent us from viewing the PDF
14 documents, going page by page and seeing
15 what we have to see.

16 MR. BOITEL: You didn't get that
17 material till this morning.

18 CHAIRWOMAN GONSALVES: I'm going
19 to cut this off. Mr. Boitel, I want you to
20 know that we just don't arbitrarily rubber
21 stamp the contracts brought down to us or
22 any other item. They are thoroughly
23 reviewed by my staff and by my colleagues.
24 I believe we do our due diligence. If we
25 don't get the answers to our questions

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2 before time, I'm telling you right now,
3 those items don't appear on the agenda.

4 So I thank you for your comments
5 and I'm certainly not going to continue
6 until we get to the next item.

7 MR. BOITEL: I appreciate the
8 opportunity but I would point out to you
9 that your agenda does not tell the public
10 practically anything concerning the value
11 and content of these contracts. Take a look
12 at your agenda. The material you get is
13 never seen by the public.

14 CHAIRWOMAN GONSALVES: I think we
15 gave you more than three minutes. Thank you
16 very much, Mr. Boitel. I know you put in a
17 slip, Mr. Boitel, but it wasn't for this
18 particular item.

19 Is it on this item, Mr. Mendez?
20 I really would respect you putting in a form
21 and we have young ladies over here who will
22 certainly give you the form you need to fill
23 out. Mr. Mendez, fill out a form.

24 MR. MENDEZ: Fill it out right
25 now?

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2 CHAIRWOMAN GONSALVES: Speak and
3 then fill it out.

4 MR. MENDEZ: Good afternoon.
5 Thank you for the time. Luis Mendez, 36
6 Harth Lane, Westbury, New York.

7 I want to read something which is
8 basically the behavior of transparency:

9 Transparency is operating in such
10 a way that it's easy for others to see what
11 actions are being performed. It has been
12 defined simply as the perceived quality of
13 intentional and shared information. I think
14 that's very fitting. We are looking for
15 transparency from all of you so we are able
16 to understand a process. However you form
17 that transparency is up to your leadership.

18 I'm going to give you a real
19 perspective about Cantiague Park. I don't
20 know who is in charge of Cantiague Park as
21 far as a legislative district. It would be
22 great for to us find out.

23 But, whoever that is, Cantiague
24 Park is used by thousands of Hispanics who
25 play soccer every day, specifically on

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2 Sundays, two to 3,000 on a Sunday. Field E,
3 field W, field O, and field P. Those
4 fields, two of them, were improved as part
5 of the Bond Referendum Act which I submitted
6 for through the Long Island Hispanic
7 Federation, the largest Hispanic
8 organization on Long Island. They were
9 tremendously improved.

10 Two fields are horrible
11 conditions. People play there every week in
12 liability because people can get hurt,
13 especially when it rains. So, if we are
14 going to spend \$300,000 or \$2 million, we
15 have to take a look at what we need. We
16 need soccer fields. This is not 1960. This
17 is 2015. The demographics have changed.
18 People are playing soccer by the thousands.
19 The largest soccer entity in the northeast
20 is the Long Island Soccer Federation which
21 is the kids on Long Island, Long Island
22 Junior Soccer League. They need fields. We
23 need to improve soccer fields.

24 As far as an ice rink, I'm sure
25 that you could improve it because there

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2 might be the demand. Are we making the
3 money back from it? We pay \$100 per hour to
4 rent a turf field that, obviously, once it's
5 put down, it has a much lower maintenance
6 cost than an ice rink.

7 So I hope that the hourly rate
8 for renting the ice rink is up there, a lot
9 higher than renting a soccer field. It's
10 just a point of view. We want to make money
11 for the county. We want to keep maintenance
12 down. We want to be able to make that money
13 back, but you got to take a look at the fees
14 and see if it balances out. It impacts some
15 communities greater than others. Thank you.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Mr. Mendez. Mr. Budnick. Mr. Mendez, will
18 you fill out a form, please? Mr. Budnick.

19 MR. BUDNICK: Madam Chair,
20 honorable members of the board. I used to
21 live approximately a thousand feet away from
22 Cantiague Park. I was also the park ranger
23 there on and off for approximately four
24 years. I'm very familiar with this
25 facility.

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2 The chilling pipes are in the
3 concrete underneath the floor there. Their
4 anticipatable life has expired. They should
5 be immediately replaced. I am personally
6 familiar that this area in Hicksville is one
7 the most terribly devastated by various
8 incidents of toxic waste.

9 I'm concerned and other members
10 of the community there are concerned, they
11 have told me, about the fact of the coolant
12 in the pipes at Cantiague Park, getting too
13 old. This is an environmental concern. The
14 people in this area don't need more
15 pollution in their water supply.

16 This can be easily fixed except
17 if people want to create problems. Thank
18 you.

19 CHAIRWOMAN GONSALVES: Thank you,
20 Mr. Budnick. There is no other public
21 comment. All those in favor of A-22 signify
22 by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes four to three.

3 The next item is A-23, a
4 resolution authorizing the director of
5 Nassau County Office of Purchasing to award
6 and execute a contract between the County of
7 Nassau acting on behalf of the Nassau County
8 Department of Public Works and High Tech Air
9 Conditioning Service, Inc.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Nicolello. And we have Mr. Schneider.

16 MR. SCHNEIDER: Good afternoon
17 again. This is a contract for the
18 replacement of the skating rink chillers at
19 both Grant Park and Christopher Morley Park.
20 This solicitation was on the bid board and
21 also in Newsday. We are recommending that
22 we award the purchase order to High Tech Air
23 Conditioning Services as the lowest
24 responsible bidder for \$1,355,000 which will
25 be paid out of capital project 41815.

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2 CHAIRWOMAN GONSALVES: Questions
3 regarding this contract?

4 LEGISLATOR ABRAHAMS: May I?

5 CHAIRWOMAN GONSALVES: You may,
6 Mr. Abrahams.

7 LEGISLATOR ABRAHAMS: How are you
8 again, Mr. Schneider?

9 MR. SCHNEIDER: Wonderful.

10 LEGISLATOR ABRAHAMS: Again, in
11 regards to the lobbyist communication in the
12 county, I'm willing to guess that your
13 responses are going to fall in line similar
14 to A-22-15?

15 MR. SCHNEIDER: That would be
16 correct.

17 LEGISLATOR ABRAHAMS: That being
18 said, I will again ask the presiding officer
19 and the majority if we can table these
20 contracts until we have a comprehensive bill
21 that discusses communications where that
22 information is disclosed to this body.
23 Today we still do not have that information.

24 Now we are probably six weeks
25 removed from a scandal that has rocked this

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2 county. I just can't believe that we can
3 not just come together and put together a
4 disclosure bill rather than me go through
5 the questions of what a bill would be able
6 to do. But, if we have to go through this
7 process we will and ask the questions again.

8 So, Mr. Schneider, if you could,
9 I know there is some chatter over there but
10 that's irrelevant.

11 That being said, can you identify
12 any individuals from outside the county that
13 communicated with any county personnel
14 regarding this contract?

15 MR. SCHNEIDER: No.

16 LEGISLATOR ABRAHAMS: To the best
17 of your knowledge?

18 MR. SCHNEIDER: To the best of my
19 knowledge.

20 LEGISLATOR ABRAHAMS: You can't
21 identify them or there weren't any?

22 MR. SCHNEIDER: To the best of my
23 knowledge, there weren't any.

24 LEGISLATOR ABRAHAMS: Who
25 prepared the bid specifications for this

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2 contract?

3 MR. SCHNEIDER: That would be
4 myself as well as the same people I
5 indicated on A-22.

6 LEGISLATOR ABRAHAMS: Mr. Tim
7 Fanaro?

8 MR. SCHNEIDER: Fanaro. There
9 was also consultation with our facilities
10 management people since they have
11 considerable issues with the maintenance of
12 the existing chillers at both facilities and
13 that would be Mike Karzynski.

14 LEGISLATOR ABRAHAMS: Did any
15 outside party participate in the preparation
16 of the bid specs?

17 MR. SCHNEIDER: No, sir.

18 LEGISLATOR ABRAHAMS: To the best
19 of your knowledge?

20 MR. SCHNEIDER: To the best of my
21 knowledge.

22 LEGISLATOR ABRAHAMS: Did any
23 public official from outside the county
24 communicate with any county personnel
25 regarding the contract?

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2 MR. SCHNEIDER: To the best of my
3 knowledge, no.

4 LEGISLATOR ABRAHAMS: Did any
5 political party officer from outside the
6 county communicate with any county personnel
7 regarding the contract?

8 MR. SCHNEIDER: To the best of my
9 knowledge, no.

10 LEGISLATOR ABRAHAMS: And,
11 lastly, is there any officer, owner, or
12 senior manager of the vendor a political
13 party officer?

14 MR. SCHNEIDER: To the best of my
15 knowledge, no.

16 LEGISLATOR ABRAHAMS: I know
17 you're saying to the best of your knowledge,
18 but we should be able to speak to that one
19 definitively.

20 MR. SCHNEIDER: They did not
21 indicate any participation on their
22 disclosure forms.

23 LEGISLATOR ABRAHAMS: Nothing
24 further. Thank you, Mr. Schneider.

25 CHAIRWOMAN GONSALVES: Any other

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2 comments?

3 (No verbal response.)

4 Is there any public comment on
5 A-23?

6 (No verbal response.)

7 There being none, all those in
8 favor of A-23 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The item passes four to three.

13 The next item is A-24, a
14 resolution authorizing the director of
15 Nassau County Office of Purchasing to award
16 and execute a contract between the County of
17 Nassau acting on behalf of the Nassau County
18 Department of Public Works and Everything
19 Ice, Inc.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Kopel. Mr. Schneider.

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2 MR. SCHNEIDER: This item is to
3 award a purchase order for the skating rink
4 dashboard and installation of the instant
5 ice system at both Grant Park and
6 Christopher Morley Park. This item was
7 solicited on the bid board and also Newsday.
8 The cost of this purchase order is \$781,288
9 and we recommend awarding this to Everything
10 Ice as being the lowest responsible bidder.

11 CHAIRWOMAN GONSALVES: Any
12 questions or comments from the legislators?

13 LEGISLATOR ABRAHAMS: If I may.

14 CHAIRWOMAN GONSALVES: You may.

15 LEGISLATOR ABRAHAMS:

16 Mr. Schneider, I'm taking that your
17 responses from A-22 and A-23-15 are going to
18 be very similar to the questions I had
19 regarding communication with outside
20 counsel.

21 From this standpoint, we are just
22 going to take the position on the rest of
23 these contracts we are going to vote no.
24 It's not indicative of anything that you've
25 said. I actually appreciate your honesty in

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2 this process. However, short of a
3 disclosure bill that actually discloses
4 information, then we are just going to take
5 the position to vote no, and that doesn't
6 have any reflection of you or your
7 department personally. I just want to make
8 sure you know that.

9 MR. SCHNEIDER: That's your
10 prerogative, legislator. Thank you.

11 CHAIRWOMAN GONSALVES: Any public
12 comment? Legislator Jacobs.

13 LEGISLATOR JACOBS: Brian, if you
14 wouldn't mind, I'm not asking you to be my
15 messenger, but I'm just saying that I think,
16 since we do feel that the present bill, not
17 bill, but the present decree by the County
18 Executive does not cover the situation to
19 our satisfaction, not that we put ourselves
20 above anybody, but just to our satisfaction
21 to avoid another problem that we are dealing
22 with right now, we have a series of
23 questions. It doesn't have to be every
24 single question that was in our bill that we
25 would like to present to Public Works in a

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2 numbered form, and if they don't want to go
3 through this, and they don't want to see
4 it's not unanimous, and I'm sure many of
5 these would be if these were answered. If
6 they are answered on each question, just
7 like any of the paperwork that you have to
8 do to present something.

9 I realize it won't be coming from
10 the majority, it will be coming from the
11 minority, but I think the bottom line is it
12 will be for the people. It will mean
13 possibly a yes vote if we believe these are
14 answered and the rest of it makes sense.

15 But, right now, we are in a
16 situation that, with these questions not
17 being answered, we have no other choice but
18 to vote no. I just want to make that clear.

19 MR. SCHNEIDER: I understand.

20 LEGISLATOR JACOBS: We don't get
21 any glee from this. I certainly don't and
22 I've been here a long time, but obviously
23 there was something wrong and there was a
24 loophole that just never came to the surface
25 until now. When there is a loophole, you

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2 try to close it the right way.

3 MR. SCHNEIDER: I'm sure the
4 administration is aware of your concerns.

5 LEGISLATOR JACOBS: Thank you.

6 CHAIRWOMAN GONSALVES: Any public
7 comment on A-24?

8 (No verbal response.)

9 There being none, all those in
10 favor of A-24 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 Let's try it again. This is for
14 the stenographer.

15 LEGISLATOR ABRAHAMS: I just said
16 something on the record.

17 CHAIRWOMAN GONSALVES: I know. I
18 still have to take a vote. All those in
19 favor signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 The item passes four to three.

24 The next item is B-19, a
25 resolution authorizing the County Executive

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2 to award and execute a contract between the
3 County of Nassau acting on behalf of the
4 Nassau County Department of Public Works and
5 Carlo Lizza & Sons Paving, Inc.

6 Motion, please.

7 LEGISLATOR KOPEL: So moved.

8 LEGISLATOR DUNNE: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Kopel, seconded by Legislator
11 Dunne. I believe Mr. Arnold you are here to
12 speak on this item.

13 MR. ARNOLD: Yes. Ken Arnold,
14 Nassau County Department of Public Works.
15 B-19 is a publically bid contract for
16 resurfacing various county roads in the
17 county. In the case of this contract, these
18 roads include Washington Street and Avenue
19 in Garden City. Lizza was the lowest
20 responsible bidder. There was a total of
21 three bids and the bids came underneath the
22 engineer's estimate.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments for Mr. Arnold?

25 LEGISLATOR ABRAHAMS: If I may.

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2 CHAIRWOMAN GONSALVES: You may,
3 Mr. Abrahams.

4 LEGISLATOR ABRAHAMS: How are
5 you, Mr. Arnold?

6 MR. ARNOLD: Good. Thank you.

7 LEGISLATOR ABRAHAMS: Separate
8 and apart from the questions I asked to Mr.
9 Schneider earlier, I do have some questions
10 regarding Lizza, really tied to the fact of
11 their involvement with another municipality
12 that's tied in with the Town of Oyster Bay.
13 I'm not too sure if you are involved in the
14 fact that they were the resurfacing company
15 for the Town of Oyster Bay that's tied into
16 a particular possible criminal situation, or
17 alleged criminal situation.

18 But I do have some questions to
19 make sure that Nassau County is covered, so
20 that same level of alleged criminality is
21 not impacting the county. From the best of
22 your knowledge, does any county officer or
23 employee currently serve as a consultant to
24 Lizza whether paid or unpaid?

25 MR. ARNOLD: Not to my knowledge,

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2 no.

3 LEGISLATOR ABRAHAMS: Would you
4 be the best person to answer that question?

5 MR. ARNOLD: I do not believe so.
6 I believe the financial disclosure on behalf
7 of employees would be the best source of
8 information on that.

9 LEGISLATOR ABRAHAMS: There's
10 some disrespectful chatter, so, if I may,
11 can you repeat that again?

12 MR. ARNOLD: The financial
13 disclosure information that the certain
14 employees have to enter would probably be
15 your best source of information on that.

16 LEGISLATOR ABRAHAMS: I just want
17 to make sure we're clear. You mean the
18 financial disclosures that we fill out
19 annually?

20 MR. ARNOLD: Yes. Certain county
21 employees have to fill it out.

22 LEGISLATOR ABRAHAMS: I fill it
23 out too. But that's like a year behind. I
24 think we are now doing 2014 which is due in
25 a couple of weeks.

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2 MR. ARNOLD: Well, to my
3 knowledge, that would be where the source of
4 that information, if any employee was being
5 employed by another entity, that's where you
6 would see it.

7 LEGISLATOR ABRAHAMS: Someone
8 from the administration should be able to.

9 MR. ARNOLD: That's not my area
10 of expertise.

11 LEGISLATOR ABRAHAMS: I
12 understand. Is any county officer or
13 employee currently employed by Lizza?

14 MR. ARNOLD: Not to my knowledge.

15 LEGISLATOR ABRAHAMS: Again,
16 wouldn't this be a question where someone
17 from the administration would be able to
18 answer unequivocally I would think? I'm not
19 trying to put you on the spot.

20 MR. ARNOLD: It wouldn't be
21 someone from the Public Works Department
22 answering, no.

23 LEGISLATOR ABRAHAMS: I mean, to
24 the best of your knowledge, there very well
25 could be somebody, that's why I'm saying --

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2 let me see if I can phrase this a different
3 way. Is there a possibility that you could
4 have someone from HR verify the records with
5 Lizza to enure this?

6 MR. ARNOLD: I don't believe HR
7 would have that information. I think you
8 would go back to what I mentioned before,
9 the annual filling out of the financial
10 disclosure statements by the employee. I
11 don't believe that we update anything in our
12 HR department on an annual basis on what
13 people are working on.

14 LEGISLATOR ABRAHAMS: If that was
15 the case, then we would be voting on a
16 contract today, but we wouldn't know of that
17 level of conflict until June of next year at
18 the earliest? That's my problem with that.
19 That's why I don't think that works. That
20 process doesn't work. We should know today.

21 Lizza should provide to the
22 county all this information. To me, it just
23 seems to be, when you have a level of
24 conflict, you do have a town which basically
25 had an employee who was, from what I could

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2 understand, allegedly doing side work and
3 consulting and charging Lizza.

4 So, how do you prevent that from
5 happening when you want to get that
6 information beforehand and not wait until it
7 comes up a year from now when the financial
8 disclosures come out?

9 Do you understand? I don't
10 expect you to give me an answer in terms
11 what you would do, but I would ask if you
12 can go back to the department head and the
13 administration and bring that to their
14 attention?

15 LEGISLATOR SOLAGES: Are there
16 any employees here from Lizza?

17 CHAIRWOMAN GONSALVES: Legislator
18 Solages.

19 LEGISLATOR SOLAGES: I apologize.

20 MR. ARNOLD: I do not believe so.
21 There's union here for another item, not
22 sure if any of them --

23 CHAIRWOMAN GONSALVES: They would
24 not be here. Minority Leader Abrahams, are
25 you finished?

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2 LEGISLATOR ABRAHAMS: Other than
3 a motion to table, I kind of know where
4 that's going to go.

5 LEGISLATOR SOLAGES: I would
6 second the motion to table.

7 CHAIRWOMAN GONSALVES: All those
8 in favor of tabling this item signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The motion to table fails. Any
14 other questions for Mr. Arnold?

15 LEGISLATOR NICOLELLO: I just
16 wanted to make a point which is, I think if
17 any officer of the county had an interest or
18 is receiving compensation from Lizza, it
19 would be a clear conflict of interest that
20 would be punishable by various sanctions
21 including possible criminal sanctions. They
22 would have to disclose that and at which
23 point they would be subjecting themselves to
24 various punishments.

25 Anyone who is foolish, stupid,

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2 and greedy enough to do that is going to
3 face the piper when they have to file their
4 financial statements. So I don't understand
5 the exercise of the point we just went
6 through, but that's my point.

7 CHAIRWOMAN GONSALVES: Legislator
8 Jacobs.

9 LEGISLATOR JACOBS: Rich, I don't
10 dispute a lot of what you just said, but the
11 bottom line is, and you are depending on the
12 very person who would be all those
13 adjectives that you just described, being
14 truthful in his or her financial disclosure,
15 and I'll leave it at that. I'm not going to
16 question whether someone is truthful or not,
17 but, in truth, the same person that would be
18 doing what you said that would be despicable
19 would be the same person we would expect to
20 be very truthful when they file.

21 CHAIRWOMAN GONSALVES: Any public
22 comment on this item?

23 (No verbal response.)

24 There being none, all those in
25 favor of B-19 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 The next item is B-20, a
7 resolution authorizing the County Executive
8 to award and execute a contract between the
9 County of Nassau acting on behalf of the
10 Nassau County Department of Public Works and
11 Posillico Civil, Inc.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Kopel. Again, Mr. Arnold.

18 MR. ARNOLD: B-20 is another
19 resurfacing contract. There were three
20 bidders. Posillico was the lowest
21 responsible bidder. Their bid came lower
22 than the engineer's estimate. They will be
23 addressing Clinton Street, Clinton Road in
24 Garden City, and Merrick Road between
25 Rockaway and Horton Avenue.

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2 CHAIRWOMAN GONSALVES: Any

3 questions or comments for Mr. Arnold?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of B-20 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The item passes four to three.

13 The next is a personal services
14 contract, E-106, authorizing the County
15 Executive to execute a personal service
16 agreement between the County of Nassau
17 acting on behalf of the Office of Management
18 and Budget and Public Financial Management,
19 Inc.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRWOMAN GONSALVES: Moved by

24 Legislator Dunne, seconded by Legislator

25 Kopel. Who is here?

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2 MR. CONKLIN: Hi. Steve Conklin,
3 Office of Management and Budget Manager.

4 This contract with Public
5 Financial Management for services consisting
6 of assisting with the county's notes and
7 bonds issuances and miscellaneous revenue
8 and budgetary matters. This was conducted
9 through the RFP process. The RFP was posted
10 on the county's website and advertised in
11 Newsday with six firms responding.

12 CHAIRWOMAN GONSALVES: Minority
13 Leader Abrahams.

14 LEGISLATOR ABRAHAMS: I just want
15 to make sure I understand the contract
16 correctly, sir.

17 Today you are asking for us to
18 encumber \$250,000. Do I understand that
19 correctly?

20 MR. CONKLIN: Yes.

21 LEGISLATOR ABRAHAMS: But the
22 total amount of the contract is very well
23 \$2.5 million?

24 MR. CONKLIN: Correct. That's
25 the maximum amount we put in there. We

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2 don't expect to reach that. But it is a
3 five year contract, and we want to be
4 conservative and make sure we are covered.

5 LEGISLATOR ABRAHAMS: So it's
6 possible that we may see later contracts,
7 amendments come before us for additional
8 money at some point?

9 MR. CONKLIN: Over the five
10 years, I highly doubt that. \$2.5 million is
11 more than enough.

12 LEGISLATOR ABRAHAMS: No, no.
13 I'm saying on top of the 250 you are going
14 to come back to us for more money?

15 MR. CONKLIN: We are encumbering
16 \$250,000 for this year. I don't know what
17 we will cover for the budget next year, but
18 we are asking for authorization for the five
19 years of the contract.

20 LEGISLATOR ABRAHAMS: So the
21 amount that's specified that's going to be
22 encumbered today is 250?

23 MR. CONKLIN: Correct.

24 LEGISLATOR ABRAHAMS: But we are
25 voting on the contract for the full 2.5?

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2 MR. CONKLIN: Correct.

3 LEGISLATOR ABRAHAMS: So we are
4 going that make more payments as the year
5 goes on, but you believe they would not be
6 more than 2.5 million at the end of five
7 years?

8 MR. CONKLIN: That's correct.

9 LEGISLATOR ABRAHAMS: I
10 understand. Thank you.

11 CHAIRWOMAN GONSALVES: Legislator
12 Nicolello.

13 LEGISLATOR NICOLELLO: Thank you.
14 PFM has been doing this for the county, this
15 type of work for the county for probably
16 close to 20 years, off and on?

17 MR. CONKLIN: It's over ten
18 years. As long as I have been here, yes.

19 LEGISLATOR NICOLELLO: My
20 question is, this is unlike the situation in
21 which we had to go to the Arizona company to
22 do our red light camera program. There is
23 no local Long Island company that can
24 provide these financial services to the
25 county. We have to continue to go to a

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2 Philadelphia corporation?

3 MR. CONKLIN: Well, they also
4 have a New York office. But, yes, there
5 were local firms. They did respond to the
6 RFP. They were included in the process.
7 But the committee decided that PFM was the
8 best firm to provide these services for the
9 county.

10 LEGISLATOR NICOLELLO: You had
11 criteria that was used to determine this?

12 MR. CONKLIN: Yes. The criteria
13 that was listed in the RFP based it on the
14 experience of the firm, the experience of
15 the people that would be assigned to the
16 deal team. It's critical for the county
17 when we do our note and bond issuances to
18 get the best pricing possible. PFM is the
19 largest financial advisory firm in the
20 country. They have more experience with
21 pricing than any other firm. They are
22 probably pricing a couple of deals every day
23 for their clients.

24 LEGISLATOR NICOLELLO: We want
25 the county to get the best possible services

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2 obviously, but, in the future, if there are
3 Nassau Suffolk, even if it's just New York
4 based entities that do this and can provide
5 an equivalent level of service, I think it's
6 been the County Executive's policy for
7 years, that, if it's possible, we would keep
8 work local. So I would ask you to keep that
9 in mind.

10 MR. CONKLIN: Yes, we will.

11 CHAIRWOMAN GONSALVES: Any public
12 comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-106 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 I'm going to ask for a motion to
21 untable Item E-70.

22 LEGISLATOR KOPEL: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Kopel, seconded by Legislator

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2 Nicolello. All those in favor of untabling
3 Item E-70 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item is untabled. It is a
8 resolution affirming to an amendment to a
9 special counsel contract entered into by the
10 Nassau County Attorney and Vecchione,
11 Vecchione & Connors, L.L.P.

12 Motion, please.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR NICOLELLO: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Kopel, seconded by Legislator
17 Nicolello. Lisa.

18 MS. LOCURTO: Good afternoon.

19 This is a contract amendment for legal
20 services with the Vecchione & Vecchione law
21 firm. The specific legal services they are
22 providing is counsel to the County
23 Attorney's Office in worker compensation
24 matters. They appear before the New York
25 State Worker's Compensation Board and

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2 represent us at these administrative
3 hearings. They consult and give guidance to
4 us on worker's compensation matters as well.

5 This contract is an amendment
6 extending their term. The county recently
7 is doing a third party administrator for
8 worker's compensation services and an
9 anticipated contract for legal services is
10 also being contemplated. That RFP has not
11 gone out. This contract amendment will
12 bring that gap and continue to provide those
13 legal services to the county.

14 CHAIRWOMAN GONSALVES: Any
15 questions of Ms. Locurto?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 There being none, all those in
20 favor of E-70 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes four to three.

25 I need to motion to suspend the

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2 rules because we have addendum items.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Nicolello. All those in favor of suspending
9 the rules signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The rules are suspended.

14 We begin with A-16, a resolution
15 authorizing the county, the director of the
16 Nassau County Office of Purchasing to award
17 and execute a contract between the County of
18 Nassau acting on behalf of Nassau County
19 Department of Public Works and Welsbach
20 Electric Corp.

21 Motion, please.

22 LEGISLATOR KOPEL: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Kopel, seconded by Legislator

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2 Nicolello. Mr. Schneider.

3 MR. SCHNEIDER: Brian Schneider
4 from Public Works. This item is to
5 authorize and award two separate purchase
6 orders for the athletic field, lighting
7 upgrades at Cantiague Park and Mitchell
8 field. This item was publicly bid on the
9 county's bid board. 144 vendors were
10 notified electronically. Seven bids were
11 received. We are recommending that Welsbach
12 Electric Corp. of Long Island as the lowest
13 responsible bidder be issued the purchase
14 orders for \$494,300 being paid out of the
15 capital project 41829 which is parks
16 lighting.

17 CHAIRWOMAN GONSALVES: Any
18 questions or comments for Mr. Schneider?
19 Legislator Jacobs.

20 LEGISLATOR JACOBS: Brian, I want
21 to ask you a question. I know Welsbach very
22 well through the traffic lights. I know
23 that they do most of them, not all. Were
24 they the lowest bidder on this?

25 MR. SCHNEIDER: Yes, they were.

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2 There were seven bidders. They were the
3 lowest. The next lowest was Commander
4 Electric and they were \$50,000 higher.

5 LEGISLATOR JACOBS: I see it. Do
6 they have experience with this kind of
7 lighting?

8 MR. SCHNEIDER: Yes. Absolutely.

9 LEGISLATOR JACOBS: I'm used to
10 them doing traffic lights.

11 MR. SCHNEIDER: Yes. What we had
12 specified was a musco field lighting set up.
13 It's a very typical sports field lighting,
14 components and mechanisms, all the
15 electrical components, the lights
16 themselves, the poles, they're all musco
17 lights, and they have had experience at a
18 number of locations with installing these
19 types of components.

20 LEGISLATOR JACOBS: It just leads
21 me to one more question. I know I live near
22 an athletic field that's lit. I'm sure you
23 know what that means. At times these lights
24 glare into the houses surrounding it.

25 Do these lights that you are

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2 talking about beam down rather than out?

3 MR. SCHNEIDER: Yes. Obviously
4 the intention is to light the playing
5 surfaces. The musco lights are very
6 sophisticated lights that have direction --
7 they point basically in the direction of the
8 athletic fields. There's very little light
9 that is diffused out to the community, but
10 Cantiague specifically is almost completely
11 surrounded by trees.

12 LEGISLATOR JACOBS: I know. It's
13 a bad one to mention, but there are so many
14 parks where the lights, years ago, they
15 weren't thinking that, but it goes right
16 into everything that's around it, so I'm
17 happy to hear you're using those kinds of
18 lights and I'm glad they were the lowest
19 bidder.

20 LEGISLATOR ABRAHAMS: They were
21 the lowest, Brian?

22 MR. SCHNEIDER: Yes, they were.

23 LEGISLATOR ABRAHAMS: I thought
24 lowest responsible.

25 MR. SCHNEIDER: In terms of

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2 straight numbers, they were the lowest
3 number but we evaluate the bid after the
4 bids come in.

5 CHAIRWOMAN GONSALVES: Any public
6 comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of A-16 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 That contract passes unanimously.

14 A-18, a resolution authorizing
15 the director of the Nassau County Office of
16 Purchasing to award and execute a contract
17 between the County of Nassau acting on
18 behalf of the Nassau County Office of
19 Emergency Management and First Line
20 Technology, L.L.C.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Nicolello. Who do we have here? Mr.
3 Corona, what are you going to tell us?

4 MR. CORONA: We went out to bid.
5 It was awarded a MERV unit, it's a medical
6 emergency response vehicle. This is 100
7 percent grant funded. This item was, I
8 believe we were looking for a purchase order
9 to be enacted on first line technology.
10 This vehicle is not only a rehabilitation
11 unit, but it's also being nicknamed and used
12 as an ambulance. Hold about 13 to 14
13 patients at a large scale mass casualty
14 incident or at a rehabilitation where there
15 is people being moved from apartments during
16 fires and other events that are critical in
17 the county.

18 CHAIRWOMAN GONSALVES: Any
19 questions for Mr. Corona? Minority Leader
20 Abrahams.

21 LEGISLATOR ABRAHAMS: Hi Ed, how
22 are you doing?

23 MR. CORONA: Good. How are you?

24 LEGISLATOR ABRAHAMS: Were you
25 involved in the RFP process for this

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2 contract?

3 MR. CORONA: Well, the
4 specifications when we started putting this
5 together here wasn't an RFP. We actually
6 went out to -- the regular bid we did on
7 this, we were involved in it just basically
8 putting specifications down. If there is
9 anything particular on --

10 LEGISLATOR ABRAHAMS: Nothing
11 particular, but what I was going to ask,
12 from what we can see from the backup, only
13 one response was submitted. I was just
14 curious why we didn't respond, put out an
15 RFP again, and rebid it, see if we can get
16 more people, if it's out there a little bit
17 longer, get a little more exposure.

18 MR. CORONA: We had three
19 companies that were interested, called up
20 and asked a lot of questions on it. EVI was
21 one of them who, in the end, did not bid on
22 it. And, Sarton, who we originally to get
23 involved with on this went out of business.
24 So only First Line Technology that got
25 involved that actually put a bid on it. I

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2 believe EVI may have also paid the board to
3 go into it, but he never put a bid in.

4 LEGISLATOR ABRAHAMS: I see.

5 CHAIRWOMAN GONSALVES: Any public
6 comment on this item? Legislator Jacobs.

7 LEGISLATOR JACOBS: Eddie, one
8 more thing. I know that there are warranty
9 amounts that we got in the backup. Are
10 these warranty amounts like 24 months/40,000
11 miles for an additional \$2,144, and I'm not
12 going to mention them all, or 60 months,
13 100,000 miles, an additional \$2,969, are
14 those typical? Are those within line?

15 MR. CORONA: I believe what
16 happened was, when we put this out, we
17 actually got a 60 month 100,000 mile
18 warranty they gave us on there. I believe
19 what was added in there later on was
20 additional warranties after the fact, they
21 actually put that into the bid.

22 LEGISLATOR JACOBS: Weren't you
23 concerned about there being only one bidder
24 for something like this?

25 MR. CORONA: What happened with

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2 this unit, this thing started roughly about
3 three or four years ago. There were other
4 companies that were on the market that got
5 involved in this and a lot of them were
6 made. New York City received five of them.
7 Yonkers received one. Westchester received
8 two. Suffolk County got one.

9 Apparently, the maker who was
10 putting these machines out, building these,
11 went out of business after Suffolk County's
12 was put out.

13 So, being concerned, we actually
14 went back and researched a couple of bus
15 companies that would build something like
16 this for us. They have been out there for a
17 while. A lot of them have been make shift
18 over the years and we really were just
19 reaching out to a bus company with the same
20 standards of a metropolitan bus or school
21 bus to be able to handle the equipment and
22 the weight that we're going to be putting on
23 there.

24 So our concerns with the First
25 Line company was not a problem. We looked

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2 at them and researched them a little bit,
3 and they seemed to build a pretty dependable
4 bus that's out there.

5 LEGISLATOR JACOBS: I know
6 usually when there is only one response we
7 try to rebid it to see if something was
8 missed somewhere.

9 MR. CORONA: Well, this has been
10 researched for quite some time. They have
11 been going back and forth. This is before I
12 even entered the Office of Emergency
13 Management. They were trying to actually
14 bid this out with Sarten and when the
15 process started they went out of business.
16 We lost everything at that point. We did
17 the grants again and started over again.

18 LEGISLATOR JACOBS: Okay. Any
19 public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of Item A-18 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes five to two.

3 The next item is A-20, a
4 resolution authorizing the director of
5 Nassau County Office of Purchasing to award
6 and execute a contract between the County of
7 Nassau acting on behalf of Nassau County
8 Police Department and Taser International.

9 Motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR NICOLELLO: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Nicolello. Sergeant?

15 SERGEANT STEPHANOFF: Good
16 afternoon, Sergeant Stephanoff from the
17 Police Department. This is to authorize a
18 purchase order for 1,250 tasers from Taser
19 International. The net cost would be
20 \$1,050,000. We are going to deploy these
21 into the precincts. Currently we wait for
22 emergency service to bring a taser or if we
23 need one at a situation we are going to
24 deploy these into the precincts so we cut
25 down the wait time for asking from emergency

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2 service.

3 The reason we went with Taser
4 International, the X26-P Taser that we are
5 getting has a five second shutoff, which
6 means on each deployment it only deploys for
7 five seconds. In every study that's shown
8 where there was an incident with a Taser,
9 there were no incidents. Every incident was
10 when they were employed above five seconds.

11 So, the commissioner decided to
12 stay with a five second or less deployment
13 to cut out any possible incidents.

14 Also, the X-26P tracks all the
15 deployment of the device which can be
16 downloaded to any time its used and it could
17 be presented for transparency in court.

18 CHAIRWOMAN GONSALVES: Legislator
19 Nicolello.

20 LEGISLATOR NICOLELLO: You were
21 saying incidents, I think what you meant to
22 say there were no fatal incidents in which
23 the taser --

24 SERGEANT STEPHANOFF: Yes. In
25 other words, any kind of negative fatality

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2 or any kind of injury resulting from above
3 five seconds on every single study that was
4 done, whether an in custody death, God
5 forbid, or an injury.

6 LEGISLATOR NICOLELLO: Will the
7 officers in the precinct now have to be
8 trained in the use of the --

9 SERGEANT STEPHANOFF: Yes. There
10 is training involved. They've already
11 started the training. We have 400 people
12 ready to go. Then we will continue to
13 train. We are not going to incur any costs
14 with the training.

15 LEGISLATOR NICOLELLO: This
16 obviously gives our officers a non lethal
17 form of getting the situation under the
18 control and giving them more options can
19 only be helpful.

20 SERGEANT STEPHANOFF: Yes. This
21 adds a tool to the officer in a non lethal
22 way to get control of the situation.

23 CHAIRWOMAN GONSALVES: Legislator
24 Kopel and then you.

25 LEGISLATOR KOPEL: I just want to

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2 know if we can get one of those for the
3 presiding officer. It would be useful at
4 times.

5 LEGISLATOR DUNNE: Madam Chair?

6 CHAIRWOMAN GONSALVES: Legislator
7 Dunne.

8 LEGISLATOR DUNNE: Being non
9 lethal is really important and I'm glad that
10 you investigated and found one of the best
11 around, and I also like the fact that it's
12 yellow handled. I know when you're in a
13 situation and you reach and sometimes you
14 don't even look. But it's good to have that
15 yellow handle just in case for just that
16 split second you'll be able to tell the
17 difference in a life and death situation.
18 So I think it's good purchase.

19 CHAIRWOMAN GONSALVES: Any other
20 comments from the legislators? Legislator
21 Solages.

22 LEGISLATOR SOLAGES: Thank you,
23 Presiding Officer. There is just a concern
24 about liability. God forbid -- first of
25 all, I want to say that I'm glad that our

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2 officers are given more tools and resources
3 to do the very difficult job that they have
4 to do, but God forbid this tool is used and
5 results in a fatality, can you talk about
6 the liability?

7 SERGEANT STEPHANOFF: That's why
8 the commissioner himself looked into this,
9 and he wrote the letter on this. Any single
10 incident that happened with a fatality,
11 there were none with five seconds or less,
12 so that's why he chose go with this for the
13 liability issue.

14 LEGISLATOR SOLAGES: Is this
15 written into the contract?

16 SERGEANT STEPHANOFF: These are
17 studies that were done on any in custody
18 deaths resulting from a taser.

19 LEGISLATOR SOLAGES: There is no
20 contract in the backup here. I just want to
21 know, in terms of this liability, where do
22 we have that protection?

23 SERGEANT STEPHANOFF: The
24 commissioner himself chose that because of
25 the studies that are out there.

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2 CHAIRWOMAN GONSALVES: It's the
3 product itself that determines the length of
4 the taser.

5 SERGEANT STEPHANOFF: This one on
6 the market, it will not allow it to be
7 deployed past five seconds on a single use.

8 CHAIRWOMAN GONSALVES: Thank you
9 very much.

10 LEGISLATOR SOLAGES: My concern
11 is, I just want to make sure that the
12 contract has the warranty language that we
13 want to have to protect the county here.
14 It's, to my understanding, that wasn't part
15 of the contract; is that correct?

16 SERGEANT STEPHANOFF: The
17 warranty for what?

18 LEGISLATOR SOLAGES: We are
19 talking here, the indemnification clause
20 here.

21 SERGEANT STEPHANOFF: This unit
22 is designed to operate with a single use, no
23 more than five seconds.

24 CHAIRWOMAN GONSALVES: It's been
25 answered, Legislator Solages.

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2 LEGISLATOR SOLAGES: It's not
3 being answered. My concern is, there is no
4 contract in the backup, to my understanding.
5 That's part of the problem I have here.

6 But, also, the part that I'm
7 looking for that provides protection on the
8 county in terms of liability, we don't have
9 anything there. I just want to be clear
10 about this here. I've been given by counsel
11 a copy of the warranty page. I guess on the
12 bottom of this page there's a handwritten
13 note that states I guess the waiver here of
14 the liability by the county.

15 I just want to make sure. It
16 says: Notwithstanding anything to the
17 contract contained in these terms, the
18 conditions in no event does the county
19 indemnify or save harmless taser for wave or
20 release Taser from any claims, demands or
21 action for damages arising out of or
22 relating to Taser's negligent acts or
23 omissions, including negligence in the
24 manufacturing process or wilful misconduct.

25 That's just handwritten here.

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2 And I just want to make sure this was
3 properly integrated into the contract.

4 SERGEANT STEPHANOFF: Yes, it
5 was.

6 LEGISLATOR SOLAGES: I guess I
7 have to take you by that.

8 SERGEANT STEPHANOFF: Because we
9 are deploying the tasers currently. So this
10 is going to be the same stipulations that we
11 currently use.

12 LEGISLATOR SOLAGES: Thank you.

13 LEGISLATOR JACOBS: I have a
14 question. Please don't think that I've
15 totally lost my mind, but, once you use a
16 taser, when is the time limit when it can be
17 used again? In other words, if you are
18 forced to taser somebody, when is it ready
19 for use again?

20 SERGEANT STEPHANOFF: Well, I
21 haven't gone to the training myself, but you
22 use it and, if it's infective, you try other
23 methods. In other words, you would try
24 different methods. Then after you tase, you
25 also assess for medical need. So, it's not

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2 like you're going to tase somebody and take
3 them in as a normal arrest. You are going
4 to immediately assess the person. But I
5 believe there's cases where they don't work
6 and they've used other methods, calling more
7 cops to the scene. They don't always work
8 unfortunately.

9 LEGISLATOR JACOBS: How fast
10 would a police officer know that it didn't
11 work, or is here a chance they wouldn't know
12 it --

13 SERGEANT STEPHANOFF: From what
14 I'm told when they work, you know almost
15 pretty much at the time you're tasing them
16 that it's effective.

17 LEGISLATOR JACOBS: Because I
18 just want to explain certain things today.
19 We are trying to get to the bottom -- we
20 always wanted to, but we never thought
21 anybody was skirting that issue, and I'm
22 certainly not saying you are, and this is a
23 sole source provider. Obviously I assume
24 you have researched this, that this is the
25 non lethal weapon that it's supposed to be

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2 and performs accordingly?

3 SERGEANT STEPHANOFF: Yes.

4 LEGISLATOR JACOBS: I just
5 wanted to get that on the record so that --
6 people don't think you are asking certain
7 questions and not others. Just like with
8 the lighting. We knew that company and we
9 had experience. With this one, we're taking
10 the police department's word that this is a
11 one of a kind company.

12 SERGEANT STEPHANOFF: This is an
13 important tool and the commissioner himself
14 was involved, as you can see by the letter
15 that was written by him.

16 LEGISLATOR JACOBS: I'm sure
17 it's a comfort to you as a department to
18 know that there is a non lethal way to begin
19 in a confrontation. Thank you.

20 CHAIRWOMAN GONSALVES: Any public
21 comment on this item? Mr. Boitel.

22 MR. BOITEL: I think the question
23 that some of the legislators were fishing
24 for was notwithstanding the specification,
25 if one of these or more of them do not meet

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2 the specification, in fact, kill somebody,
3 or do not work at a critical point so a
4 police officer or someone else is injured,
5 is the company indemnifying us for the
6 failure of these things to work? I'm not
7 even sure that's a standard provision in
8 things such as this, but I think that was
9 the question you were fishing for.

10 It seems to me also that this is
11 an opportunity for this legislature to call
12 upon the Nassau County Police Department in
13 using this valuable tool to provide you with
14 a fundamental set of standards as to when it
15 is that these things will be used. You
16 can't define every particular situation, but
17 you can have some general principles.

18 And the suggestion, as these
19 things have been used around the country, is
20 that, even with training, there has not been
21 a reasonably good definition in many places
22 as to whether something which may not be
23 lethal but can very harmful, and can
24 properly be used upon a citizen.

25 LEGISLATOR DUNNE: The

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2 commissioner has advised us that we are
3 invited, any legislator is invited to come
4 down to any training of any of their things
5 and we've done it and they will answer any
6 questions we have.

7 CHAIRWOMAN GONSALVES: Sergeant,
8 can you address the comment that Mr. Boitel
9 made? In other words, if the apparatus
10 fails to do what it was intended to do, do
11 we have protection?

12 SERGEANT STEPHANOFF: The company
13 is insured and, for liability reasons, if it
14 fails to operate properly.

15 CHAIRWOMAN GONSALVES: I'm not
16 going to pursue it because I don't whether
17 or not you have the answer but I think if
18 the company is insured, does it hold us self
19 harmless?

20 SERGEANT STEPHANOFF: This
21 company is a major company of manufacturing
22 tasers, it's not a small company, and they
23 manufacture nationwide for a number of
24 departments for years and their product has
25 been tested and held up.

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2 CHAIRWOMAN GONSALVES: There
3 being no other comments, all those in favor
4 of Item A-20 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item passes unanimously.

9 Item A-21, a resolution
10 authorizing the director of the Nassau
11 County Office of Purchasing to award and
12 execute a contract between the County of
13 Nassau acting on behalf of the Nassau County
14 Police Department Harley Davidson of Nassau
15 County.

16 Motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. Talk to us.

22 SERGEANT STEPHANOFF: This is to
23 authorize a purchase order for 12
24 motorcycles for Nassau County Highway Patrol
25 Motorcycle Unit. The total cost is

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2 \$224,718 from capital projects. This is a
3 replacement cycle of older bikes and this
4 will also add ABS brakes that currently are
5 not in the fleet of motorcycles. So these
6 motorcycles, the members will have ABS
7 brakes for safety.

8 CHAIRWOMAN GONSALVES: Any
9 questions of the sergeant?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of A-21 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 Thank you, sergeant.

20 The next item is B-7, a
21 resolution authorizing the County Executive
22 to award and execute a contract between the
23 County of Nassau acting on behalf of the
24 Nassau County Department of Public Works and
25 Safety Marking, Inc.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

7 Nicolello. Mr. Arnold.

8 MR. ARNOLD: B-7 is a bid

9 contract for the refurbishment of long line

10 painting markings at various identified

11 county roads. This is a federally funded

12 state pass-through funding of this contract

13 for 80 percent. There was only one bidder

14 on the contract but this contractor and its

15 single bid was confirmed as acceptable by

16 New York State which is funding this work at

17 80 percent.

18 CHAIRWOMAN GONSALVES: Any

19 questions of Mr. Arnold on this item?

20 Legislator Kopel.

21 LEGISLATOR KOPEL: I've heard

22 this. Is there really only one contractor

23 in the entire region?

24 MR. ARNOLD: There's one large

25 contractor in the entire region, Safety

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2 Marking, so this is the bidder on this job
3 that does this. There are a couple of
4 smaller companies but they very rarely bid
5 and if they do they usually are out bid by
6 Safety Markings.

7 CHAIRWOMAN GONSALVES: Any other
8 comments?

9 (No verbal response.)

10 Is there any questions or
11 comments from the audience, or the public?

12 (No verbal response.)

13 There being none, all those in
14 favor of B-7 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is a personal
20 service contract, the next two items, E-79
21 and E-81, both personal service agreements
22 between the County of Nassau acting on
23 behalf of the Nassau County Department of
24 Public Works and Nelson & Pope Engineers and
25 Surveyors.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

7 Nicolello. Mr. Arnold.

8 MR. ARNOLD: E-79 is a request

9 for a proposal for on call building design

10 services to support our architects and

11 mechanical engineers in the department.

12 Nelson & Pope was one of the selected

13 vendors.

14 And, E-81 was a solicitation for

15 construction management services associated

16 with the electrical distribution project

17 that we have ongoing at various county

18 locations. Again, Nelson & Pope was the

19 second vendor but they were the lowest

20 proposers and the best vendor for the

21 county.

22 CHAIRWOMAN GONSALVES: Did you

23 address E-81?

24 MR. ARNOLD: Yes.

25 CHAIRWOMAN GONSALVES: Any

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2 questions on E-79 or E-81?

3 (No verbal response.)

4 Is there any public comment on
5 these items?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-79 and E-81 signify by saying
9 aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The items pass four to three.

14 The next item is E-85, a
15 resolution authorizing the County Executive
16 to execute a personal service agreement
17 between the County of Nassau acting on
18 behalf of the Nassau County Department of
19 Public Works and John A. Grillo Architect,
20 P.C.

21 Motion, please.

22 LEGISLATOR NICOLELLO: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Nicolello, seconded by Legislator

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2 Kopel.

3 MR. ARNOLD: E-85 is a second
4 firm that was selected to support the
5 department on our on call building
6 architectural and mechanical electrical
7 engineering services. It's with John A.
8 Grillo Architect, P.C.

9 CHAIRWOMAN GONSALVES: Any
10 questions or comments for Mr. Arnold?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-85 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 E-87, a resolution authorizing
21 the County Executive to execute a personal
22 service agreement with the County of Nassau
23 acting on behalf of the Nassau County
24 Department of Information Technology and
25 Applied Geographics, Inc.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Nicolello. Anyone here to speak on this
8 item?

9 MR. EISENSTEIN: Ed Eisenstein
10 from the Information Technology Department.
11 How are you?

12 CHAIRWOMAN GONSALVES: I'm fine.

13 MR. EISENSTEIN: I apologize. So
14 these are the applied geographics. This is
15 the GIS contract for GIS support. That's
16 the graphical information system. What we
17 have done is we've gone out to RFP and
18 allowed four vendors to win throughout the
19 life of the contract we're going to give
20 them statements of work so we can get the
21 best case scenario out of them. So that's
22 very exciting for winners that qualify.

23 LEGISLATOR NICOLELLO: So how
24 would that work if you have four qualified
25 contractors?

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2 MR. EISENSTEIN: Very simple. If
3 you recall the simple staffing contract, it
4 was in place for many years. Exactly those
5 roles. So when projects come up, we can put
6 together a statement of work that is a legal
7 binding document that we can release to all
8 of the qualified vendors to get the best
9 case back. So we are treating it the same
10 we did in the simple inter-staffing.

11 LEGISLATOR NICOLELLO: Then you
12 get to pick and choose depending on the
13 project which one is going to do the best
14 job, which price is the most competitive?

15 MR. EISENSTEIN: Yes. It does
16 seem over the last 15 years there was one
17 particular vendor that really carried most
18 of the brunt. This really opens up to more
19 vendors being able to give us even better
20 solutions than we've been doing.

21 CHAIRWOMAN GONSALVES: Are there
22 any comments or questions from the
23 legislators?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of -- go ahead, Mr. Boitel.

5 MR. BOITEL: This dovetails on
6 some of my earlier comments. The fact is
7 this should not be looked at in isolation.
8 This and the next several items for
9 information technology total about two and a
10 half million dollars of supplementary
11 budgeting for information technology.

12 The fact is, with regard to most
13 things, this county still functions as it
14 did 50 years ago. You do not have an
15 effective information technology program
16 either for the distribution of information
17 amongst people who work for the county and
18 to yourselves, and certainly not to the
19 public. The huge amounts of information
20 which ought to be able to the public which
21 are not available.

22 It may very well be that some of
23 these things are calculated to achieve those
24 objectives but it seems to me also you ought
25 to be presented and approved a comprehensive

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2 information technology upgrade plan, and to
3 do these things, a little bit here, little
4 bit there, with supplementary
5 appropriations, without looking at the big
6 picture, is a terrible mistake. The amount
7 of money that can be wasted, the amount of
8 money that will have to be repeated, and the
9 amount of service which is not provided
10 because it hasn't been included can be
11 tremendous.

12 As far as I'm aware, there's been
13 no effort to pole you people or the public
14 or the people who have to actually work at
15 the grass roots of county government as to
16 what is really needed in information
17 technology. There doesn't seem to have been
18 anybody who has been brought in as a
19 consultant who doesn't have a vested
20 interest in the process, analyzing all of
21 this and coming up with a comprehensive
22 plan. Perhaps I'm wrong on some of this but
23 I don't see it from what has been submitted
24 so far.

25 CHAIRWOMAN GONSALVES: Thank you,

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2 Mr. Boitel.

3 All those in favor of Item E-87
4 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 The item passes four to three.

9 The next item is E-90, a
10 resolution authorizing the County Executive
11 to execute a personal services agreement
12 between the County of Nassau acting on
13 behalf of the Nassau County Department of
14 Information Technology and Gayron DeBruin
15 Land Surveying and Engineering, P.C.

16 Motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Kopel. Mr. Eisenstein.

22 MR. EISENSTEIN: This is along
23 the same lines. This is one of the four
24 awarded winners for the new GIS contract to
25 allow us to get the best case throughout the

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2 lifetime of the contract.

3 CHAIRWOMAN GONSALVES: Any
4 comments or questions for Mr. Eisenstein?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of E-90 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The contract passes unanimously.

14 Next is E-91, a resolution
15 authorizing the County Executive to execute
16 a personal services agreement between the
17 County of Nassau acting on behalf of the
18 Nassau County Department of Information
19 Technology and Bowne Management Systems,
20 Inc.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Nicolello. Mr. Eisenstein.

3 MR. EISENSTEIN: Again, Bowne was
4 the original contract holder for many years
5 in the support for GIS, and they were also
6 one of the qualified winners.

7 CHAIRWOMAN GONSALVES: Any
8 questions of Mr. Eisenstein on this item?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item E-91 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (Nay.)

17 The item passes four to three.

18 Mr. Eisenstein, we are going to
19 be calling item E-92, E-93 and E-94
20 together. And I will read each of them and
21 you can comment accordingly.

22 E 92, a resolution authorizing
23 the County Executive to execute an amendment
24 to a personal services agreement between the
25 County of Nassau acting on behalf of the

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2 Nassau County Department of Information
3 Technology and Svam International, Inc.;

4 E-93, a resolution authorizing
5 the County Executive to execute an amendment
6 to a personal services agreement between the
7 County of Nassau acting on behalf of the
8 Nassau County Department of Information
9 Technology and Contemporary Computer
10 Services, Inc.

11 E-94, a resolution authorizing
12 the County Executive to execute an amendment
13 to a personal services agreement between the
14 County of Nassau acting on behalf of the
15 Nassau County Department of Information
16 Technology and Infosys International, Inc.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Your comments?

23 MR. EISENSTEIN: Yes. These are
24 simply extensions of the supplemental
25 staffing contract. What's happening is, we

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2 went to RFP, and we are going to be
3 presenting to the leg in a very short time a
4 replacement of this supplemental staffing
5 contract. I'm putting in an extension that
6 should last 30 to 60 days in lieu of our new
7 supplemental staffing contract, which will
8 have close to 20 qualified vendors on it.

9 CHAIRWOMAN GONSALVES: Any
10 questions or comments from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-92, E-93, E-94 signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 The items pass four to three.

21 Thank you, Mr. Eisenstein.

22 The next item is E-96, a
23 resolution authorizing the County Executive
24 to execute an amendment to a personal
25 services agreement between the County of

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2 Nassau acting on behalf of the Nassau County
3 Sheriff's Department and Armor Correctional
4 Health Services of New York.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. Who do we have here?

11 CAPTAIN SATHER: Captain Keith
12 Sather, Sheriff's Department. The item
13 before you is a two-year extension of our
14 current contract with Armor Correctional
15 Health and Medical Services.

16 Armor provides inmate health care
17 at the correctional center. The term of
18 this extension is two years.

19 CHAIRWOMAN GONSALVES: Any
20 questions of Mr. Sather? Who said yes?
21 Legislator Solages.

22 LEGISLATOR SOLAGES: Why hasn't a
23 new RFP already been done for the jail
24 medical service since the original RFP and
25 the original contract made clear that this

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2 contract was to run from 2011 to May 31st,
3 2015, which was yesterday?

4 CAPTAIN SATHER: To be frank, we
5 ran out of time. The scope of the medical
6 services that are now provided on-site at
7 the correctional center has changed to the
8 fact that we were unable to develop a new
9 RFP before this contract expired.

10 LEGISLATOR SOLAGES: That's very
11 bad because that leaves us, and I believe my
12 colleagues, today here without a real
13 choice.

14 What's the practical effect if we
15 don't extend this contract; will inmates at
16 the correctional facility not get medical
17 care?

18 CAPTAIN SATHER: If the contract
19 isn't extended, we would no longer have
20 medical care for our inmates, correct.

21 LEGISLATOR SOLAGES: Why did we
22 wait until the last minute to extend this?

23 CAPTAIN SATHER: Again, we
24 haven't waited until the last minute. We
25 have been developing a new RFP. The problem

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2 is because our medical services have changed
3 so much with the advent of an on-site
4 infirmary and on-site medical care, we were
5 unable to prepare an RFP covering the scope
6 of this work before this contract expired.

7 LEGISLATOR SOLAGES: That's very
8 concerning. I have a lot of questions. On
9 May 8th, Newsday reported problems with
10 inmates not getting prompt medical care
11 including a diabetic inmate who wasn't given
12 notification until the 6th day that she was
13 in jail that she needed medicine for her
14 condition. Six days.

15 Now that we are considering
16 extending this contract, can we, speaking
17 out to my colleagues, include an amendment
18 with respect to inmates transitioning there
19 and the fact that they need greater
20 attention with the hopes that they would get
21 the medicine they need within a short amount
22 of time. Can you comment on that, please?

23 CAPTAIN SATHER: I can't comment
24 on the specific case due to the fact that I
25 can't speak to individual medical records,

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2 but I can say that inmates coming into the
3 correctional center are screened
4 immediately. So I can't speak to one single
5 case, but --

6 LEGISLATOR SOLAGES: I'm not
7 asking you to speak on a single case here,
8 but the impression and the perception here
9 of this facility is that the inmates are not
10 being given the care that they deserve.

11 For example, we have a Nassau
12 judge, Judge Carter, who has concerns about
13 defendants not getting their prescription
14 medication. We have a very prominent
15 attorney in the Nassau Bar Association, Mr.
16 Gan, who has also written a letter to the
17 sheriff. I'm not asking you to speak
18 specifically here.

19 CAPTAIN SATHER: I can speak to
20 the fact that we do track the amount of
21 inmate grievances that we receive in
22 relation to medical services. And I would
23 say in the years we're either on par or in
24 some cases drastically lower than previous
25 years. In comparison, let's say, to 2011,

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2 our inmate grievances for 2014 was less than
3 half.

4 LEGISLATOR SOLAGES: I have a lot
5 more questions but I'm going to allow the
6 questions to proceed with my colleagues.

7 CHAIRWOMAN GONSALVES: Legislator
8 Jacobs.

9 LEGISLATOR JACOBS: Let me just
10 say something. And the only thing I know
11 about medicine that gives me any degree is
12 that my daughter is a doctor, so that shows
13 you nothing. Absolutely nothing.

14 This is what I wanted to ask you,
15 when people come ine, and I'm not negating
16 what I'm about to say, I'm just going to ask
17 you to clarify this. Before you can give a
18 prescription med, before Armor can give a
19 prescription med, what do they need? Then
20 I'll tell you where I'm going.

21 CAPTAIN SATHER: Legislator
22 Jacobs, I do have a representative from
23 Armor here and she can speak to the
24 procedures.

25 LEGISLATOR JACOBS: Good.

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2 MS. DAVIES: Good afternoon,
3 ladies and gentlemen. I'm Karen Davies,
4 Regional Vice President for Armor.

5 LEGISLATOR JACOBS: Hi. How are
6 you?

7 MS. DAVIES: I'm very well,
8 ma'am, thank you.

9 LEGISLATOR JACOBS: I have a
10 question because we have heard complaints
11 about delays and I understand that people
12 that come in may already be on medication at
13 home and obviously do not have it with them.
14 Why don't you tell me the
15 procedure and I will tell you the questions
16 that have been asked.

17 MS. DAVIES: Yes, ma'am. When a
18 person comes into the Nassau County
19 Correctional Center, they are seen
20 immediately by a nurse in the booking area
21 and she takes an extensive intake screening
22 from that person. Based on that intake
23 screening -- well, actually, after the
24 intake screening, they go directly upstairs
25 to have a complete history and physical done

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2 by a registered nurse and, at the time if
3 there are medications that are identified,
4 depending on what the medications are, we
5 will get a verification from the pharmacy,
6 they sign a release of information, we get a
7 verification from the pharmacy.

8 The nurse then in turn calls a
9 provider on call to get a prescription, an
10 order for that medication so it can be
11 dispensed to that person. The people come
12 in to the jail and we may not prescribe them
13 exactly what they are on out in the outside,
14 but we may -- we will, not may, we will give
15 them the equivalent medication. Just like
16 your doctor would, instead of giving a brand
17 name, they'll give you a generic, depending
18 on what your health care plan covers.

19 LEGISLATOR JACOBS: I understand.
20 But someone with diabetes, someone with
21 epilepsy, someone with something that really
22 needs a continuation without a break of
23 medication, now they are in, for whatever
24 reason, they're in jail, perhaps it's on the
25 weekend, you can't reach the prescription,

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2 the drug store. You have can't reach the
3 provider at home. We can be talking about
4 something that can go on for two or three
5 days.

6 MS. DAVIES: And we wouldn't wait
7 for -- for someone who has a chronic
8 illness, ma'am, we would call our provider,
9 give them the information that we have from
10 the historian, from the patient, and they
11 would make a decision based upon that
12 information.

13 LEGISLATOR JACOBS: What if you
14 can't reach them though?

15 MS. DAVIES: We have absolutely,
16 there is never an instance when we cannot
17 reach one of our providers. We have 24/7
18 coverage at the jail. We have 24/7 coverage
19 with nursing staff on site, and we have 24/7
20 coverage for providers. So if there's not a
21 provider in the building, there's a provider
22 on call, ma'am.

23 LEGISLATOR JACOBS: When you say
24 a provider, someone that could make that
25 decision?

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2 MS. DAVIES: Yes, ma'am. A
3 physician or mid level provider, absolutely.

4 LEGISLATOR JACOBS: So how many
5 would there be?

6 MS. DAVIES: I only need one
7 person to be on call. They take the call
8 for the entire facility.

9 LEGISLATOR JACOBS: How do you
10 explain that situation where that woman had
11 diabetes and never had medication?

12 MS. DAVIES: I would be violating
13 HIPAA if I spoke specifically about her,
14 but, what I would tell you is that sometimes
15 when information is presented, it's not
16 presented in its entirety, and someone who
17 is diabetic, someone who has seizures,
18 someone who has chronic obstructive
19 pulmonary disease, anyone who any kind of
20 chronic illness, they are treated
21 immediately inside the jail.

22 LEGISLATOR JACOBS: Thank you
23 very much.

24 MS. DAVIES: You're welcome,
25 ma'am.

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2 CHAIRWOMAN GONSALVES: Minority
3 Leader Abrahams.

4 LEGISLATOR ABRAHAMS: I don't
5 know if this is a question for Ms. Davies or
6 for you, Captain Sather, but I wanted to ask
7 the question in regards to, does Armor have
8 a quality assurance program for the
9 correctional center?

10 MS. DAVIES: Absolutely, we do.
11 We have a continuous quality improvement
12 program and we meet monthly, sir.

13 LEGISLATOR ABRAHAMS: Who is at
14 that meeting from Armor?

15 MS. DAVIES: Our Armor executive
16 team and certain members of the line staff,
17 and also a representative from the sheriff's
18 office as well.

19 LEGISLATOR ABRAHAMS: What's
20 discussed at those meetings?

21 MS. DAVIES: Each month we have
22 different topics that we review to make sure
23 we are providing quality health care and,
24 based on the outcome studies that we do, we
25 either do a corrective action plan or have

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2 additional training sessions. It depends on
3 what we find in those -- in the tools that
4 we use.

5 LEGISLATOR ABRAHAMS: Do you have
6 any examples of corrective action that was
7 taken in the last year, two years since the
8 implementation of your contract?

9 MS. DAVIES: Well, as you can
10 imagine, the continuous quality improvement
11 program, it's important that we maintain the
12 confidentiality of it because we come to the
13 table to admit our shortcomings as well as
14 our strengths. By making that public, it
15 would not encourage people to come
16 forward and I guess be wholly truthful, so
17 we keep the information in those meetings
18 confidential.

19 LEGISLATOR ABRAHAMS: I
20 understand what you're saying, but this
21 legislative body or this Rules Committee is
22 an oversight body and this very information
23 to determine or not we vote yes or no to
24 your contract is based off of what exactly
25 is being done and conducted yourselves in

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2 correcting the matters that you're
3 internally discussing.

4 MS. DAVIES: I will give you a
5 general example, if I may, sir.

6 LEGISLATOR ABRAHAMS: If you may.

7 MS. DAVIES: In response to some
8 information that we found during our CQI
9 process, we held a skills fair to re-educate
10 refamiliarize, refamiliarize our staff with
11 certain processes inside the jail. To name
12 a few, reading of TB tests, drawing labs,
13 CPR. Some of the processes that we want to
14 ensure that our nurses stay competent in.

15 LEGISLATOR ABRAHAMS: Ms. Davies,
16 moving into some the stuff that might be
17 discussed at these meetings, does Armor
18 perform an internal utilization review to
19 determine the amount of costs of services
20 rendered to inmates?

21 MS. DAVIES: We have utilization
22 management, it's really headquartered at
23 corporate. So, all of our information that
24 we have patients going off site either as
25 inpatient or outpatient, all that data is

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2 transferred to our corporate office to
3 review. That's when invoices and claims
4 come in from the hospital, they see those
5 and review them. So, the short answer to
6 your question is, yes, we do have a review
7 process.

8 LEGISLATOR ABRAHAMS: Are the
9 providers ever provided the results of those
10 analyses that are done by corporate?

11 MS. DAVIES: We discuss with a
12 medical director, typically, with the health
13 services administrator, myself, we have a
14 meeting regarding the services and then
15 information that is appropriate to be pushed
16 down, let's say if someone had come in and
17 there was a fight at the jail and there was
18 a laceration and they sent the person
19 directly to the hospital. Instead of
20 utilizing a provider on-site that could have
21 done the suturing, that would be information
22 that we would send back down and say,
23 instead of sending this person off site,
24 they could have been treated at the
25 facility.

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2 LEGISLATOR ABRAHAMS: Is it part
3 of the utilization program to control costs?
4 Is cost ever factored into the utilization?

5 MS. DAVIES: Cost is not factored
6 into care.

7 LEGISLATOR ABRAHAMS: No. But
8 I'm saying, you said the information that
9 goes back to corporate, and they are
10 analyzing that information there, are they
11 also analyzing and reviewing ways to cut
12 costs?

13 MS. DAVIES: They don't analyze
14 ways to cut costs. They'll look at the data
15 in whole, but, we at the site, and I'm not
16 at the site every day, but I oversee it, so
17 we look at it and say these are services
18 that we can provide on-site. Why did we
19 send them off site?

20 I understand where you're going
21 with this but I need to ensure you that I,
22 as a health care provider, believe in
23 providing health care first and looking at
24 what are the costs as a secondary. Because
25 you're going to end up paying a lot more in

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2 the end if you don't take care of the
3 patients up front.

4 LEGISLATOR ABRAHAMS: My last bit
5 of questions, I want to get back to the
6 providers. So, basically, if I understand
7 your answer from before, when I asked are
8 the providers ever advised on the results of
9 the analysis, basically the information is
10 sent down to the medical director and then
11 from there you determine whether or not it
12 needs to go any further?

13 MS. DAVIES: Yes. And we don't
14 talk dollars and cents with those providers.
15 It's just information. Like could there
16 have been a better outcome.

17 LEGISLATOR ABRAHAMS: That's what
18 I'm driving at. If there was a case where
19 we think a provider could have provided
20 better care, then that information I'm
21 hoping makes it to that provider.

22 MS. DAVIES: Absolutely. It's
23 done as a peer review, sir.

24 LEGISLATOR ABRAHAMS: Are the
25 providers furnished with any guidelines by

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2 Armor for what care they provide to inmates?

3 MS. DAVIES: Absolutely, sir.

4 LEGISLATOR ABRAHAMS: What are
5 they provided?

6 MS. DAVIES: We have a set of
7 clinical guidelines that we utilize and
8 those are developed utilizing community
9 standard guidelines as well.

10 LEGISLATOR ABRAHAMS: Again, with
11 cost, is cost factored into any of those
12 guidelines?

13 MS. DAVIES: No, sir. It's about
14 patient care.

15 CHAIRWOMAN GONSALVES: Minority
16 Leader Abrahams, are you finished?

17 LEGISLATOR ABRAHAMS: I'm done
18 with my questions.

19 CHAIRWOMAN GONSALVES: Legislator
20 Solages, go.

21 LEGISLATOR SOLAGES: My concern
22 is because there wasn't an RFP here, why do
23 we have to extend it for two years? It's at
24 a cost of \$11,010,000 for two years. Why
25 can't we just have this for one year?

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2 LEGISLATOR NICOLELLO: Can I
3 address that? In the backup it indicates
4 that originally in 2011 there was a contract
5 with a two year term with options for two,
6 two year extensions.

7 In 2013 they opted for the first
8 two year extension and now, per contract, we
9 have an option for a second two year
10 extension. So, this is not a new contract,
11 this is simply an option to renew the
12 original contract at a two year term.

13 LEGISLATOR SOLAGES: Thank you
14 for clarifying that. As part of the
15 extension, why don't we require that such
16 medication be given within 24 hours? Can't
17 we attach the extension to certain -- can we
18 clarify whether it's the extension from 2011
19 to 13? I just want to clarify that. To my
20 understanding that is full extension.

21 Just to clarify the record, was
22 what Legislator Nicolello stated correct?

23 LEGISLATOR NICOLELLO: That
24 information was from the resolution and your
25 counsel is telling us that was not in the

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2 contract, so whether it is or not --

3 LEGISLATOR SOLAGES: I would like
4 to make a motion to table this.

5 CHAIRWOMAN GONSALVES: All
6 those in favor of tabling signify by saying
7 aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 CHAIRWOMAN GONSALVES: Yes,
12 minority leader?

13 LEGISLATOR ABRAHAMS: I think
14 based off the comments and testimony we are
15 hearing today, some of us feel that we do
16 carry some reservations about this
17 particular contract. The fact that it
18 wasn't rebid, the fact that we would like
19 to see the utilization information be shared
20 with us so we can have a better
21 understanding going forward.

22 That being said, that doesn't
23 negate the fact that we want to see care for
24 the inmates at the facility. That being
25 said, with some reservations, we are

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2 prepared to support this particular
3 contract.

4 CHAIRWOMAN GONSALVES: Any public
5 comment on this item?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-96 regarding Armor Correctional
9 Health Services of New York signify by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 CHAIRWOMAN GONSALVES: The next
16 item is Item E-97, a resolution authorizing
17 the County Executive to execute an amendment
18 to a personal services agreement between the
19 County of Nassau acting on behalf of the
20 Office of Management and Budget and Moody's
21 Analytics, Inc.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Kopel. Who do we have here?

4 MR. CONKLIN: Hi. Steve Conklin
5 from OMB. This is an amendment with an
6 existing contract with Moody Analytics where
7 you are extending the term for three years
8 and Moody's will provide our office with a
9 quarterly economic report and projected
10 sales tax receipts which is critical for our
11 budgeting process and sales tax represents
12 almost 40 percent of the total budget.

13 CHAIRWOMAN GONSALVES: Any
14 questions from the legislators on this item,
15 Item E-97, any questions on this item? Yes,
16 Legislator Jacobs.

17 LEGISLATOR JACOBS: Considering
18 that Moody's is one of the three rating
19 agencies that actually rates Nassau County.

20 Is there a line that's being
21 crossed here that Moody's, that we would
22 hire Moody's to do this work and yet they're
23 one of the people that actually passes
24 judgement on how we're doing our -- I don't
25 know. I just feel that both sides of the

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2 fence --

3 MR. CONKLIN: No. Absolutely
4 they're not crossing any line. The rating
5 agencies are very careful to have the
6 separation of the business lines. For
7 example, even when we get ratings, the
8 people who do the ratings won't even talk to
9 us about what it cost us to get that rating.
10 So every group is separate and there's no
11 crossover so there's no conflict of interest
12 at all on their part.

13 LEGISLATOR JACOBS: Analytics
14 that is definitely separate from regular
15 Moody's rating?

16 MR. CONKLIN: It's all part of
17 the same company but separate group that
18 does it. So the people that we would be
19 dealing with have nothing to do with the
20 rating.

21 LEGISLATOR JACOBS: I understand,
22 it just doesn't sound good.

23 MR. CONKLIN: They do have their
24 protections, again, there are separate
25 groups, fire walls, and there's no conflict

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2 of interest on their part. I mean, as far
3 as we're concerned, they are one of the
4 premier leaders in the industry in terms of
5 economic reports, so that's why we selected
6 them, but there is no conflict of interest.
7 They are very careful with that.

8 CHAIRWOMAN GONSALVES: Any other
9 comments? Minority Leader Abrahams.

10 LEGISLATOR ABRAHAMS: I just want
11 to make sure I understand what Moody's is
12 doing in this contract. It's my
13 understanding that they are just conducting
14 an analysis as to why Nassau County sales
15 tax is lower than neighboring counties; is
16 that the gist of it?

17 MR. CONKLIN: That was the
18 original contract from 2014. The
19 administration was concerned with the sales
20 tax receipts probably over the last 18
21 months in terms of how it's tracking with
22 other counties, in particular, Suffolk, for
23 probably last 10 years. Pretty much in
24 tandem with increases and decreases over the
25 last 18 months, that has changed

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2 significantly. So that was the primary
3 focus of the first contract where they
4 assisted us with that analysis and there has
5 been some discussions with the
6 administration and the state on sales tax
7 receipts.

8 The extension of this contract
9 will primarily be focused on providing us
10 with quarterly projections, not to say that
11 they won't help us with that analysis but
12 the part of looking at the disparities with
13 neighboring counties, that was really done
14 last year, and, as I said, there are still
15 ongoing discussions with the state, but this
16 will focusing quarterly going forward where
17 they'll give us projections.

18 To the extent that there's more
19 discrepancies going forward, they will
20 address that, but right now we are looking
21 at quarterly forecasts from them.

22 LEGISLATOR ABRAHAMS: And the
23 contract amount is \$56,000, right?

24 MR. CONKLIN: That's correct.
25 Per year, yes.

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2 LEGISLATOR ABRAHAMS: If I may,
3 Madam Presiding Officer, I would like to
4 call up Independent Budget Review Office,
5 Mr. Chalmers.

6 MR. CHALMERS: Maurice Chalmers,
7 Budget Review.

8 LEGISLATOR ABRAHAMS: I have just
9 a couple of quick questions. Are you
10 familiar with the contract that's before us
11 for Moody's Analytics?

12 MR. CHALMERS: I have an idea. I
13 spoke to the administration about some of, I
14 guess, projects that they would be looking
15 to get from Moody's. I have an idea what
16 they are looking for.

17 LEGISLATOR ABRAHAMS: Is this
18 something that your office can provide? I
19 would think rather than going to Moody's, I
20 would go to your office and, if you didn't
21 have the person there, you would bring in
22 somebody.

23 MR. CHALMERS: My office, we do
24 our own quarterly projection. As a matter
25 of fact, we just put one out last week on

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2 the economics using Moodys Analytics. I
3 have with me my economist, Deidra, she can
4 give you a quick overview of what we do with
5 the data that we get from Moody's.

6 LEGISLATOR ABRAHAMS: You just
7 said that you have a contract with Moody's
8 already?

9 MR. CHALMERS: What we do is, we
10 have a \$3,600 contract where they give us
11 the data and in-house we manipulate the data
12 and put out some reports. In addition to
13 comparing their data with Long Island MLS
14 and some other industries. So, we don't
15 just take Moody's data, we take outside
16 agency data also and combine the whole thing
17 into one report.

18 LEGISLATOR ABRAHAMS: Okay.

19 MR. CHALMERS: So it's a little
20 more comprehensive.

21 LEGISLATOR ABRAHAMS: And how
22 much do you pay for that data?

23 MR. CHALMERS: I believe \$3,600.

24 LEGISLATOR ABRAHAMS: \$3,600. I
25 understand.

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2 MS. CALLEY: Everything Maurice
3 said is right. We get just the data done
4 from Moody's. They give us data for
5 specific economic variables that we have
6 requested for Nassau County and some
7 national ones. We take that data. We
8 analyze it. We compare it to separate
9 independent benchmarks such as the housing
10 data from the Multiple Listing Service of
11 Long Island, we get Hotel Motel occupancy
12 rates as well as the rental rates from Long
13 Island Convention Visitor Bureau, we add in
14 other things that we think impact your sales
15 tax collections, they put out a quarterly
16 consumer confidence survey.

17 So, we would take what Moody's
18 gives us. We would analyze it, put it into
19 a readable format, because it comes with
20 thousands of rows of data that wouldn't be
21 easily comprehended and we would compare it
22 to separate independent benchmarks.

23 The other thing that we feel we
24 put in there which is a good thing is, we
25 look at what other economists, like the

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2 federal reserve, the Mortgage Banking
3 Association, to see what other economists
4 are forecasting so you see if like Moody's
5 is an outlier or if they're in line with the
6 average so you have more of a consensus to
7 look where the economy is going, both
8 nationally and locally.

9 LEGISLATOR ABRAHAMS: It sounds
10 pretty comprehensive what you do. I'm just
11 a little concerned why we spent \$56,000 when
12 we have a source right here that can do the
13 very same thing.

14 MR. CHALMERS: We share our data
15 with the administration also, so I'm not
16 sure exactly if they are looking for
17 anything that is not specifically what we
18 do. They may be looking for some additional
19 information, but that's kind of what we do.

20 MR. CONKLIN: What I can say,
21 they're an independent body, we we're not
22 going to just take their work, we need to
23 rely on our own analysis. The
24 administration used to have an economist on
25 staff. We don't have anymore. This is

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2 cheaper than having our own economist and
3 they do have expertise that we don't have.
4 It's just not a matter of taking the data.
5 They have a very extensive model that they
6 use and they can compare it to other
7 counties, which we don't have that data
8 available. It's not just looking at our
9 numbers, it's also comparing it to other
10 counties around us. But, again, this is
11 cheaper than having our own economist.

12 LEGISLATOR ABRAHAMS: Nothing
13 further, Madam Presiding Officer.

14 CHAIRWOMAN GONSALVES: Any public
15 comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of E-97 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 The item passes four to three.

23 The next item is E-99, a
24 resolution authorizing the County Executive
25 to execute a personal services agreement

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2 between the County of Nassau acting on
3 behalf of the Nassau County Department of
4 Parks, Recreation and Museums, and Gregg
5 Raffa Events.

6 Motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR NICOLELLO: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Nicolello. Who is here to speak on this
12 item? Connie.

13 MS. PETRUCCI: Not at this time.
14 If you like, we can have someone here in
15 about 10 minutes.

16 CHAIRWOMAN GONSALVES: Okay. We
17 have more to do. We have to table until
18 somebody is here.

19 Motion to table, please.

20 LEGISLATOR KOPEL: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Kopel, seconded by Legislator
24 Nicolello. All those in favor of tabling
25 this item signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item is tabled.

6 Let's go to E-100, a resolution
7 affirming to a special counsel contract
8 entered into by the Nassau County attorney
9 by Bee Ready Fishbein Hatter & Donovan,
10 L.L.P.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello. Lisa.

17 MS. LOCURTO: Thank you,
18 legislator. This is a contract for special
19 counsel services to handle and appeal in the
20 matter of Holsted and Restevo. It is a case
21 that is an offshoot of the original
22 litigation stemming from the Coritt
23 litigation. County Attorney's Office was
24 successful in a civil trial against three
25 defendants who had brought a civil action

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2 seeking damages saying that their
3 constitutional rights were hurt when they
4 were arrested, prosecuted and sent to jail.

5 Despite the county getting a
6 verdict in the county's favor finding no
7 liability, the federal judge set aside the
8 judgement and ordered a new trial for two of
9 the three defendants.

10 A second trial took place. There
11 was still no finding of liability against
12 the county, but there was finding of
13 liability against one of the police
14 officers. During the appeal, the county,
15 under its obligation to defend the police
16 officer was handling the appeal, Judge
17 Seibert made a ruling and ordered that there
18 was a potential conflict between the county
19 continuing to represent the police officer.
20 She ordered that separate counsel be
21 assigned. This was during the appellate
22 process and this is one of the firms that
23 the county has retained. They will be
24 representing the county. There will be
25 another special counsel contract that is not

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2 before you but will be coming to represent
3 the estate.

4 CHAIRWOMAN GONSALVES: Any
5 questions from the legislators?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item E-100 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes four to three.

15 The next item is E-101, a
16 resolution authorizing the County Executive
17 to execute a personal services agreement
18 between the county of Nassau acting on
19 behalf of the Nassau County District
20 Attorney's Office and EAC, Inc.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Nicoletto.

3 MR. MCMANUS: Bob McManus,
4 District Attorney's Office. This contract
5 is an agreement for conflict mediation
6 services under the District Attorney's
7 ongoing reentry program. These services are
8 conducted in schools and communities with
9 high rates of crime to reduce violent
10 incidents and to reduce criminal activity.

11 CHAIRWOMAN GONSALVES: Are there
12 any questions for Mr. McManus?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor of E-101 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item passes unanimously.

22 The next item is E-103, a
23 resolution authorizing the County Executive
24 to execute a personal services agreement
25 between the County of Nassau acting on

1 Rules Committee/6-1-15
2 behalf of the Nassau County Department of
3 Information Technology and Universal
4 Management Technology Solutions, Inc.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR NICOLELLO: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Nicolello.

11 MR. EISENSTEIN: Hello. Ed
12 Eisenstein from Information Technology
13 again. This is a contract to engage UMS to
14 help us with the licensing for the Microsoft
15 licenses. Microsoft has done a true-up with
16 us and this vendor is helping us determine
17 what the correct cost for Microsoft should
18 be for that licensing true-up.

19 CHAIRWOMAN GONSALVES: Any
20 questions of Commissioner Eisenstein?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of Item E-103 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 The next item, Item E-107, a
7 resolution authorizing the County Executive
8 to execute an amendment to a personal
9 services agreement between the County of
10 Nassau acting on behalf of the Department of
11 Information Technology and Tyler
12 Technologies, Inc.

13 Motion, please.

14 LEGISLATOR KOPEL: So moved.

15 LEGISLATOR DUNNE: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Kopel, seconded by Legislator
18 Dunne. Commissioner.

19 MR. EISENSTEIN: Tyler is our
20 assessment system, that is what the county
21 uses for keeping track of all our assessment
22 properties both private and corporate. This
23 is the maintenance for them.

24 CHAIRWOMAN GONSALVES: Any
25 questions for the commissioner on this item?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 The item passes four to three.

11 We have three other contracts on
12 the Addendum II. We already suspended the
13 rules. The first one is E-80, a resolution
14 authorizing the County Executive to execute
15 an amendment to a personal services
16 agreement between the County of Nassau
17 acting on behalf of the Nassau County
18 Department of Public Works and Greeley and
19 Hansen, L.L.C.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Nicolello. Who do we have here? Anyone

1 Rules Committee/6-1-15
2 here to speak on this item? It's the
3 Department of Public Works.

4 MR. ARNOLD: E-80 is a personal
5 services agreement with Greeley and Hansen
6 and the county. It's for construction
7 management services associated with the
8 reconstruction of pump stations that were
9 impacted by Hurricane Sandy.

10 CHAIRWOMAN GONSALVES: Any
11 questions for Mr. Arnold on this item?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-80 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 The item passes four to three.

21 The next contract is E-88, a
22 resolution authorizing the County Executive
23 to execute an amendment to a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Department of

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2 Public Works and D&B Engineers & Architects.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Dunne, seconded by Legislator

8 Nicolello.

9 MR. ARNOLD: E-88 is a personal

10 services agreement for the services

11 associated with looking at unsewered areas

12 around Hempstead Harbor and their

13 feasibility of being connected to either

14 Glen Cove or any adjacent plants. Three

15 proposals were received. Dvirka and

16 Bartilucci had the highest technically

17 ranked proposal.

18 CHAIRWOMAN GONSALVES: Any

19 questions on this item for Mr. Arnold?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in

24 favor of Item E-88 signify by saying aye.

25 (Aye.)

1 Rules Committee/6-1-15

2 Any opposed?

3 (No verbal response.)

4 The item passes unanimously.

5 The last contract is Contract

6 E-89, a resolution authorizing the County

7 Executive to execute a personal services

8 agreement between the County of Nassau

9 acting on behalf of the Nassau County

10 Department of Informational Technology and

11 Gannet Fleming, Inc. D/b/a Geodecisions.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR NICOLELLO: Second.

15 CHAIRWOMAN GONSALVES: Moved by

16 Legislator Dunne, seconded by Legislator

17 Nicolello. Commissioner.

18 MR. EISENSTEIN: Excellent. I

19 believe that's the next GIS vendor as we

20 discussed earlier, the fourth final vendor

21 who was going to receive a penny contract.

22 CHAIRWOMAN GONSALVES: Any

23 questions of the commissioner on this item?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of E-89 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 The item passes four to three.

9 A motion to untable Item E-99.

10 Motion, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Nicolello, seconded by Legislator
15 Kopel. All those in favor of untabling E-99
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item is untabled. A person
21 from Parks, Recreation and Museums here?
22 Connie?

23 MR. MCDERMOTT: Good afternoon,
24 Dennis McDermott from the County Attorney's
25 Office. Greg Raffa was engaged by parks in

1 Rules Committee/6-1-15

2 order to retain and promote the services of
3 Lee Greenwood for a concert June 5th and for
4 a 70s concert to be held on August 21st.

5 The total price to be paid to Mr. Raffa was
6 \$69,850. He was a sole source. Due to the
7 unique nature of this business, we recommend
8 that you approve the contracts.

9 CHAIRWOMAN GONSALVES: Any
10 questions or comments from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-99 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 Rules is now in recess and the
21 next committee is Public Safety.

22 (Whereupon, the Rules Committee
23 recessed at 4:01 p.m. and reconvened at 5:22
24 p.m.)

25 CHAIRWOMAN GONSALVES: Will the

1 Rules Committee/6-1-15

2 Rules Committee please take their seats.

3 Rules is now back in session.

4 We're going to begin with the
5 consent calendar. As usual, we will have
6 the stenographer incorporate the testimony
7 of the other committees into the Rules.

8 I will begin with 195, 197, 198,
9 200, 201, 202, 203, 204, 205, 206, 212, 213,
10 214, 215, 216, 218, 219, 220.

11 On the addendum agendas, we have
12 221, I believe -- I had 216, 219, 220, then
13 I had 231 and 221. So those are the ones.

14 (Whereupon, the following are the
15 minutes of the Public Safety Committee
16 pertaining to Clerk Items 201, 203-205,
17 212-214, 215, 216, 6-1-15.)

18 CHAIRMAN DUNNE: The first item
19 to come before this committee is Item
20 201-15, an ordinance supplement to the
21 annual appropriation ordinance in connection
22 with the Nassau County Probation Department.

23 With no objection, 216-15 is also
24 with the probation department, an ordinance
25 supplemental to the annual appropriations

1 Rules Committee/6-1-15
2 ordinance in connection with the Nassau
3 County Department of Probation. So I'm
4 going to call them both at the same time if
5 there's no objection.

6 May I have a motion?

7 LEGISLATOR MUSCARELLA: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRMAN DUNNE: Motion by
10 Vincent Muscarella, seconded by Don
11 MacKenzie. The item is now before us.

12 MR. SHANK: Good afternoon. I'm
13 Ed Shank and I'm with the Nassau County
14 Probation Department.

15 Item 201 is a supplemental in the
16 amount of \$37,782 in funds from the New York
17 State Division of Criminal Justice Services,
18 Office of Probation and Correctional
19 Alternatives.

20 The program is a component of the
21 alternatives to incarceration service plan
22 and provides pretrial release bail reports
23 to the court post-arraignment including
24 recommendations on release status and
25 community based treatment plans and

1 Rules Committee/6-1-15

2 supervision.

3 CHAIRMAN DUNNE: This is just
4 pass-through money?

5 MR. SHANK: Yes.

6 CHAIRMAN DUNNE: Any legislators
7 have any questions?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, go to the next
12 item, 216-15, Mr. Shank.

13 MR. SHANK: 216 is also part of
14 the Alternatives to Incarceration Plan.

15 This part encompasses funding for the
16 probation department. The program diverts
17 offenders from costly incarceration
18 especially at the pretrial level releasing
19 the offender at arraignment provides the
20 most substantial savings as the first
21 several days of confinement are typically
22 the most expensive.

23 The department uses an assessment
24 tool that has been sanctioned by New York
25 State Division of Criminal Justice Services

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2 that identifies the risk level for the
3 offender, written reports are prepared and
4 submitted to the court prior to the
5 defendant's arraignment and released
6 individuals are monitored by telephone or in
7 person with prompt violation notification
8 made to the court.

9 CHAIRMAN DUNNE: Again, Mr.
10 Shank, this is pass-through money from the
11 state, doesn't cost the county anything?

12 MR. SHANK: That's correct.

13 CHAIRMAN DUNNE: Any other
14 question from any legislator?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none on 201-15, all
19 those in favor indicate by saying aye.

20 (Aye.)

21 Any against?

22 (No verbal response.)

23 Passes. And 216-15, all those in
24 favor indicate by saying aye.

25 (Aye.)

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2 Any against?

3 (No verbal response.)

4 That passes through too. Thank
5 you.

6 The next items, again, I'll call
7 them in bulk if there is no objection, are
8 all with the District Attorney's Office.
9 Any objection from the minority side? Call
10 them all in bulk.

11 Item 203-15 is an ordinance
12 supplemental to the annual appropriations
13 ordinance in connection with the District
14 Attorney's Office.

15 Item 204-15 is an ordinance
16 supplemental to the annual appropriations
17 ordinance in connection with the District
18 Attorney's Office.

19 Item 205-15 is an ordinance
20 supplemental to the annual appropriations
21 ordinance in connection with the District
22 Attorney's Office.

23 Item 212-15 is an ordinance
24 supplemental to the annual appropriations
25 ordinance in connection with the District

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2 Attorney's Office.

3 Item 213-15 is an ordinance
4 supplemental to the annual appropriations
5 ordinance in connection with the District
6 Attorney's Office.

7 Item 214-15 is an ordinance
8 supplemental to the annual appropriations
9 ordinance in connection with the District
10 Attorney's Office. May I have a motion,
11 please?

12 LEGISLATOR MACKENZIE: So moved.

13 LEGISLATOR FORD: Second.

14 CHAIRMAN DUNNE: Legislator
15 MacKenzie made the motion, seconded by
16 Denise Ford. Mr. McManus.

17 MR. MCMANUS: Items 203, 204,
18 212, 213 and 214, five out of the six that
19 you blocked are appropriations resulting
20 from forfeiture fund awards which have been
21 granted to the District Attorney's Office
22 resulting from our participation in
23 investigations and prosecutions in
24 conjunction with federal or state law
25 enforcement agencies.

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2 Item 205 is the appropriation for
3 the aid to prosecution grant program which
4 is a grant that we have had now for 20 years
5 where we utilize state funding to support
6 the prosecution of repeat violent and
7 serious felony offenders by maintaining a
8 staff of highly experienced prosecutors who
9 work to achieve convictions and maximum
10 sentences for that type of defendant.

11 CHAIRMAN DUNNE: Why don't we go
12 over each and every one of them.

13 MR. MCMANUS: Certainly. Item
14 203 is an appropriation for a state
15 forfeiture award.

16 Item 204 is a federal forfeiture
17 award.

18 Item 205 is the aforementioned
19 Aid to Prosecution Grant Appropriation.

20 Item 212 is a federal forfeiture
21 award.

22 213 a state forfeiture award.

23 And 214 is federal forfeiture
24 award.

25 CHAIRMAN DUNNE: Are there any

1 Rules Committee/6-1-15

2 questions from any legislators on these
3 items?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, we will be
8 voting on Items 203-15, 204-15, 205-15,
9 212-15, 213-15, all those in favor indicate
10 by saying aye.

11 (Aye.)

12 Any against?

13 (No verbal response.)

14 Passes on to Finance. Thank you,
15 Mr. McManus.

16 The next item and the final item
17 is 215, an ordinance supplemental to the
18 annual appropriations ordinance in
19 connection with the Police Department. I
20 think Sergeant Greg Stephanoff is here.

21 Motion, please.

22 LEGISLATOR MACKENZIE: So moved.

23 LEGISLATOR MUSCARELLA: Second.

24 CHAIRWOMAN GONSALVES: Motion has
25 been made by Legislator MacKenzie, seconded

1 Rules Committee/6-1-15
2 by Legislator Muscarella. Sergeant
3 Stephanoff.

4 SERGEANT STEPHANOFF: Sergeant
5 Greg Stephanoff from the police department.
6 This item appropriate \$126,500 for the
7 surveillance apprehension vehicle
8 enforcement program, or we call it the save
9 grant. This grant will put extra
10 enforcement in the area of stolen vehicles
11 and insurance fraud in high vehicle theft
12 areas. And it also gives money for training
13 for the members on vehicle theft and
14 insurance fraud.

15 CHAIRMAN DUNNE: So that's
16 cameras?

17 SERGEANT STEPHANOFF: Not
18 cameras. This is for selective enforcement
19 to focus on stolen vehicles and insurance
20 fraud.

21 CHAIRMAN DUNNE: Any legislators
22 have any questions?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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2 There being none, all those in
3 favor indicate by saying aye.

4 (Aye.)

5 Any against?

6 (No verbal response.)

7 Goes on to Finance.

8 (Whereupon, the following are the
9 minutes of the Economic and Community
10 Development Committee pertaining to Clerk
11 Item 198-15, 6-1-15.)

12 CHAIRWOMAN FORD: Today we have
13 one item before us, Clerk Item 198-15, it's
14 a proposal, local law to amend the
15 miscellaneous laws of Nassau County with
16 respect to apprenticeship training programs
17 for county contracts.

18 Do we have a motion to move it?

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR KENNEDY: Second.

21 CHAIRWOMAN WALKER: So moved by
22 Kopel, seconded by Kennedy. Thank you. Do
23 we have anybody here from the county to
24 speak on this?

25 MR. POGLISACK: Good afternoon.

1 Rules Committee/6-1-15

2 My name is Gerald Poglisack. I'm here with
3 James LaRusso who actually wrote the
4 amendment. This is in fact a refinement of
5 the law that governs apprenticeship training
6 programs. It's designed to cause the ending
7 of apprenticeships by the completion of the
8 individuals who are involved in the
9 programs. That's it in a nutshell.

10 LEGISLATOR FORD: Does anybody
11 have any questions up here on the dais? Any
12 comments?

13 (No verbal response.)

14 We have one speaker, Rich O'Kane.
15 Please come up.

16 MR. O'KANE: Good afternoon.
17 Thank you for the opportunity to speak here.
18 I would like to refine that a little bit
19 better and let you know that what it is,
20 it's going to require contractors that claim
21 that they have an apprenticeship program to
22 actually graduate somebody. All through the
23 past, the Department of Labor, in the last
24 several years, had to suspend over 100 of
25 those programs because they were bogus.

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2 I represent the Nassau Suffolk
3 Building Trades with 59,000 men and women.
4 Every one of those individuals goes through
5 a program, whether it's three years, four
6 years or five years, at a cost of \$35,000 to
7 \$50,000 per student depending on the craft
8 that they pick. On top of that, they're out
9 in the field learning as they go too,
10 earning a living.

11 I don't know what these people
12 that profess to have these programs do, it
13 doesn't cost the county, doesn't cost
14 anybody anything but the unions to provide
15 this help. So, those kinds of numbers, they
16 get the best of help.

17 I would like to invite anybody
18 here on this committee here to tour our
19 schools to see our facilities at your
20 convenience. They are state of the art and
21 then I would invite you to go and see the
22 other side's facilities, and you better have
23 a full tank of gas because you are going a
24 long way, a long time.

25 What we have a problem with too,

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2 and why it's a problem, these people come
3 from Arkansas, Kansas, Utah, Mississippi,
4 Texas, Georgia, North Carolina,
5 Pennsylvania, Massachusetts, New Jersey, and
6 they come here, and how do we know what
7 qualifications they have? At least when you
8 hire, we'll have the people from the Nassau
9 County Suffolk Building Trades come, you
10 know that they're licensed and have all the
11 training that's absolutely necessary.

12 One of the things that's
13 paramount in these programs is dealing with
14 the safety issues. Safety is paramount.
15 You have to have a fistful of certificates
16 to get out of apprentice school and to go on
17 these jobs.

18 With the past environment with
19 some of these accidents in the city and Long
20 Island, they happen and you have to be as
21 qualified as possible. So we are looking
22 for a level playing field. We have problems
23 with allowing all these people coming into
24 this jurisdiction and putting in the hours
25 that they do.

1 Rules Committee/6-1-15

2 Hurricane Sandy, you couldn't get
3 a hotel room or anything like that from the
4 Queens border out to Montauk Point with all
5 the out of state contractors that had all
6 these rooms ready to go to work with people
7 that lost their houses and everything else,
8 had no place to go, a lot of them got stuck.
9 That, in itself, is a tragedy.

10 But the whole idea is, there's
11 two things that people don't understand when
12 you say, well, they got the job, what
13 difference does it make? It makes a big
14 difference because the people from the
15 Nassau County Building Trades, they get
16 benefits. These people don't. When these
17 people from all of these states that I just
18 enumerated are allowed to come in here and
19 do this work, the first thing to go are the
20 men's health benefits. To maintain health
21 benefits in a union, you have to work x
22 amount of hours. Each local union has a
23 different requirement, but they're the first
24 to go.

25 The other thing to go, one of the

1 Rules Committee/6-1-15

2 other catalysts for making them go too is
3 the money has to be a return. So if it
4 doesn't earn that return in conjunction with
5 the hours not going in there, an hourly
6 contribution, it's not long before those
7 benefits evaporate. I know that my past
8 organization, I went through \$40 million in
9 a year and a half. I wound up having to cut
10 benefits, assess my retirees, \$150 per
11 person, cut their benefits, unprecedented in
12 our history, but unfortunately that's what
13 had to be done because we weren't getting
14 the hours put into our funds and there was
15 lack of work and it deleted them.

16 The other part of this is that
17 our young people are leaving at a rate of,
18 they say from 20 to age 35, the rate that
19 they're leaving at is going to amount to
20 about 30 percent. I ask you, who is going
21 to put out your fires, who is going to do
22 your training with your kids, who is going
23 to do the volunteer work and everything else
24 in every other capacity? I don't get it.
25 We have thousands of jobs that we offer

1 Rules Committee/6-1-15

2 every year to the young ones and, if we
3 don't keep them, who is going to build our
4 infrastructure and maintain everything that
5 we have? It's a disgrace that the
6 infrastructure looks the way it does from
7 one end of the island to the other, and then
8 New York City. It's just one of those
9 things that's running rampant.

10 In New York City they want to
11 bring, there's a bill out there to bring in
12 people, get help, with tax breaks and
13 everything else, and not pay the prevailing
14 wage.

15 The reason why they pay the
16 prevailing wage and it was created in the
17 1930s, was to keep people, this area had
18 better working conditions and pay rates, and
19 it was designed to keep the people from
20 coming across the country, infringing on
21 taking those jobs that was the reason why
22 that Bill Davis Bacon was introduced, and
23 Davis and Bacon were two people that lived
24 in New York. That's why you're supposed to
25 get a good wage and a good job.

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2 So we are totally in favor of
3 this bill. We have to have this bill. Why
4 should they not have to graduate anybody?
5 Would you want your kids in high school,
6 six, seven, eight years and they didn't
7 graduate? You would get pretty fed up
8 quick. We graduate. We have excellent
9 graduation rates and you'll get all these
10 things and it cost you nothing, and the
11 opportunity for jobs. 60,000 jobs. Our
12 workforce about 44 years old, the average
13 age, and we provide, through apprenticeship
14 programs, jobs by the hundreds, if not by
15 the thousands depending on the strength of
16 the economy.

17 So I implore you to pass this
18 bill. Suffolk County passed it in the
19 Legislature 15 to one. The City of Long
20 Beach just passed it last week, a five
21 nothing count in our favor, in favor of the
22 bill. I implore you to pass this bill.
23 It's absolutely needed. Charity begins at
24 home. We need to take care of the people
25 that live here and we got to start doing it

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2 now. Thank you very much.

3 CHAIRWOMAN FORD: Thank you very
4 much. Mr. O'Kane, you bring up very very
5 good points and why it's so important to us
6 to have this language and I agree with you
7 because a lot of these other companies, they
8 pretend that they actually have these
9 schools and, so, New York State in the past,
10 if you call up and you say, is this a good
11 company, can we give a contract to them,
12 they'll say, well, they are registered, they
13 have an apprenticeship program, except for
14 the fact that there is no apprenticeship,
15 and they're not graduating anybody.

16 So it's very very important that
17 we see this. Especially for our young
18 people that they know they can get good
19 jobs. One thing that you touched upon
20 that's very important to me is that, while
21 you teach them the skill you also teach them
22 how to work safely. That's one of the more
23 important things. All too often, we can
24 find that there can be accidents on a
25 construction site, but we want to minimize

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2 them. And unskilled labor, it seems that we
3 have worse accidents.

4 MR. O'KANE: I'm glad you just
5 brought that up. I left out one thing. I
6 don't know, about five, six, seven years
7 ago, there was 29 fatalities in New York
8 City and Long Island combined. 87 percent
9 of those fatalities were people that had no
10 training whatsoever.

11 So, we will stand behind our
12 record any day of the week. It's important
13 to what we do. Long Island is the best
14 place to live. We don't want our kids
15 taking off, we don't want our grandkids
16 taking off because there's no jobs.

17 On top of that, another thing I
18 should mention, our contractors are losing
19 work. They're going out of business because
20 they can't compete with these prices.

21 CHAIRWOMAN FORD: It's a
22 disgrace. We want to, if we can, we would
23 like to hire people locally if that's
24 possible, they do pay or taxes. Time to
25 close the loophole.

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2 MR. O'KANE: How you going to pay
3 -- keep the services from the municipalities
4 intact if you don't have the taxes? A lot
5 of these people come here, they park their
6 car or truck, bring a trailer with them,
7 sleep on the job. Not even sleeping in a
8 hotel. Nobody really gains except them.

9 CHAIRWOMAN FORD: They really
10 don't care if they do the job right or not.

11 MR. O'KANE: The person that
12 gains the most is the contractor, stuffing a
13 lot of money in his pocket.

14 CHAIRWOMAN FORD: The rich get
15 richer.

16 MR. O'KANE: Thank you for your
17 time.

18 CHAIRWOMAN FORD: Joe Montebano.

19 MR. MONTEBANO: How you doing?
20 I'm Joe Montebano. I represent labor Local
21 66. I just wanted to speak quickly on a few
22 items with the apprenticeship.

23 I want to say that the
24 apprenticeship is really a continuing
25 education program for our kids that don't go

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2 to college here on Long Island. It's really
3 important to give them something, get a good
4 job, they can train while they learn, and to
5 sum up the importance of this bill, right
6 now, if you have an apprenticeship program,
7 you don't have to prove that you graduated
8 anybody. If your school district was able
9 to not have to show proof that they
10 graduated anybody, you would be up in arms.
11 You want that kid to learn something and to
12 graduate.

13 The bill, like Dick said, passed
14 in Suffolk in February, two weeks ago in
15 Long Beach.

16 I just ask you to consider this
17 bill for Nassau for the safety of the
18 apprentices and the public as well. Thank
19 you.

20 CHAIRWOMAN FORD: Thank you for
21 your comments. Mr. Rhoads.

22 LEGISLATOR RHOADS: Thank you,
23 Madam Chairwoman. Mr. O'Kane, I just want
24 to thank you for giving voice to an
25 important issue. There's no question that

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2 if Nassau County is committed to its
3 apprenticeship program, that we need to give
4 it actual teeth. We want to make sure it's
5 actually filling its responsibility to make
6 sure that we have skilled labor working on
7 our job sites.

8 So I want to thank you for taking
9 the time to come in in support of this
10 important piece of legislation.

11 MR. O'KANE: Thank you.

12 CHAIRWOMAN FORD: I'm going to
13 call it. All those in favor of Clerk Item
14 198-15 please say aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes seven to nothing.

19 (Whereupon, the following are the
20 minutes of the Public Works and Parks
21 Committee pertaining to Clerk Item 218-15,
22 6-1-15.)

23 CHAIRMAN MUSCARELLA: We have a
24 quorum. We have one item. It's 218 of
25 2015, a resolution authorizing the county to

1 Rules Committee/6-1-15
2 implement a program of projects funded by
3 the State Mass Transportation Capital
4 Program and to advance such funds required
5 to be advanced by the county and the State
6 of New York to implement such program and to
7 authorize the County Executive to execute
8 any and all agreements and other
9 documentation necessary to implement the
10 program.

11 A motion, please.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR RHOADS: Second.

14 CHAIRMAN MUSCARELLA: Motion by
15 Rose Walker, seconded by Steve Rhoads. The
16 item is before us. Someone from the county?

17 MS. PERSAUD: Yes. Sharon
18 Persaud, Public Works. This is an agreement
19 between New York State and Nassau County for
20 acceptance of 10 percent match against
21 federal funds for capital projects.

22 CHAIRMAN MUSCARELLA: And we
23 front the state's portion and then they
24 reimburse us, correct?

25 MS. PERSAUD: That's correct.

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2 CHAIRMAN MUSCARELLA: Any
3 questions?

4 (No verbal response.)

5 Hearing none, all those in favor
6 of moving this item, signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item carries.

11 (Whereupon, the following are the
12 minutes of the Health and Social Services
13 Committee pertaining to Clerk Items 200,
14 206, 202, 221-15, 6-1-15.)

15 CHAIRWOMAN WALKER: On the
16 original agenda we have three items; Clerk
17 Item 200-15 is an ordinance supplemental to
18 the annual appropriation ordinance in
19 connection with the Department of Human
20 Services;

21 And if it's okay, I'll call Clerk
22 Item 206-15, which is also an ordinance
23 supplemental to the annual appropriation
24 ordinance in connection with the Department
25 of Human Services.

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2 May I have a motion, please?

3 LEGISLATOR SCHAEFER: So moved.

4 LEGISLATOR MUSCARELLA: Second.

5 CHAIRWOMAN WALKER: Moved by

6 Legislator Schaefer, seconded by Legislator

7 Muscarella. The item is before us.

8 MR. HALL: Brian Hall, Human

9 Services. These are two supplemental

10 appropriations from the New York State

11 Office of Mental Health. The first one,

12 \$3,496,402 is for adult mental health

13 services, and the second one is \$84,000 also

14 from the State Office of Mental Health for

15 the children adult services. And it's 100

16 percent funded.

17 CHAIRWOMAN WALKER: Any questions

18 or comments for the legislators?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 All those in favor of Clerk Item

23 200-15 and 206-15 signify by saying aye.

24 (Aye.)

25 Any opposed, no abstentions?

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2 (No verbal response.)

3 Those will move on to finance.

4 Clerk Item 202-15 is an ordinance
5 supplemental to the annual appropriation
6 ordinance in connection with the Department
7 of Social Services. Motion, please.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR SCHAEFER: Second.

10 CHAIRWOMAN WALKER: Moved by
11 Legislator Muscarella, seconded by
12 Legislator Schaefer.

13 MR. BRODERICK: Legislators, good
14 afternoon. Paul Broderick, deputy
15 commissioner, Department of Social Services.
16 The item before us is a supplemental
17 appropriation for \$24,000 to augment \$89,000
18 previously received for our Safe Harbor
19 Program.

20 CHAIRWOMAN WALKER: Any questions
21 from the legislators?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 Hearing none, all those in favor

1 Rules Committee/6-1-15
2 of Clerk Item 202-15 signify by saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 The motion moves on to Finance.
7 MR. BRODERICK: Thank you.
8 CHAIRWOMAN WALKER: We now need a
9 motion to suspend the rules.
10 LEGISLATOR MUSCARELLA: So moved.
11 LEGISLATOR SCHAEFER: Second.
12 CHAIRWOMAN WALKER: Moved by
13 Legislator Muscarella, seconded by
14 Legislator Schaefer.
15 There is one item on the addendum
16 which is Clerk Item 221-15, an ordinance
17 supplemental to the annual appropriations
18 ordinance in connection with the Department
19 Of Mental Health, Chemical Dependency, and
20 Developmental Disability Services.
21 I apologize, we didn't vote on
22 the motion to suspend the rules. All in
23 favor?
24 (Aye.)
25 Any opposed?

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2 (No verbal response.)

3 Now on the motion.

4 LEGISLATOR SCHAEFER: So moved.

5 LEGISLATOR KENNEDY: Second.

6 CHAIRWOMAN WALKER: That motion
7 was made by Laura Schaefer, seconded by
8 James Kennedy for Clerk Item 221-15.

9 MR. HALL: Hi again. Brian Hall.
10 This actually is a supplemental
11 appropriation from the New York State office
12 for the Aging. It's not from Mental Health/
13 Chemical Dependency. There was some cross
14 up on that. It was a clerical error. It's
15 from the New York State Office for the
16 Aging.

17 It's a COLA increase for
18 retention and recruitment of personnel for
19 our various agencies. It's 100 percent
20 funded.

21 CHAIRWOMAN WALKER: Could I just
22 request that between now and the Full
23 Legislature that you send that?

24 MR. HALL: Right. I got it
25 Friday. It's all set correctly in the

1 Rules Committee/6-1-15

2 system, but the name is wrong. That's all.

3 CHAIRWOMAN WALKER: If you could
4 just correct that before Full Leg.

5 MR. HALL: Will do.

6 CHAIRWOMAN WALKER: Thank you so
7 much. Any questions or comments from the
8 legislators on that?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 All those in favor?

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 That also will move on to
17 Finance.

18 (Whereupon, the following are the
19 minutes of the Government Services and
20 Operations Committee pertaining to Clerk
21 Items 220, 231-15, 6-1-15.)

22 CHAIRMAN KENNEDY: We have two
23 items to address. To clarify, the public
24 notices involving this committee may have
25 confused some people. For purposes of

1 Rules Committee/6-1-15

2 clarity, I would like to ask to suspend the
3 rules at this time as both items will be
4 heard from the addendum calendars.

5 May I have a motion to suspend
6 the rules?

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR SCHAEFER: Second.

9 CHAIRMAN KENNEDY: By Legislator
10 Walker, seconded by Legislator Schaefer.
11 All those in favor signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The rules are now suspended. The
16 first item is from the second addendum which
17 is also on the original agenda which was not
18 fully circulated. I'm calling item 220-15,
19 an ordinance to adopt the Nassau County
20 budget for Nassau County Community College
21 for the fiscal year commencing 9-1-15 and
22 ending 8-31-16 and to appropriate revenues
23 and the total amount of monies to be raised
24 by taxation with the County of Nassau for
25 the purposes of Nassau County Community

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2 College for such fiscal year pursuant to the
3 provisions of the Education Law, the County
4 Government Law, the General Municipal Law,
5 the County Government Law of Nassau County,
6 and the Nassau County Administrative Code.

7 Before we take a motion, I have
8 discussed this matter with Ranking Member
9 Judy Jacobs, which has usually been done in
10 the college budget. Today we will tee this
11 up for the hearing of the Full Legislature
12 on 6-15, June 15, 2015, and I will reserve
13 our questions for that date.

14 May I have a motion?

15 LEGISLATOR FORD: So moved.

16 LEGISLATOR WALKER: Second.

17 CHAIRMAN KENNEDY: Moved by
18 Legislator Ford, seconded by Legislator
19 Walker.

20 As previously stated, there will
21 a hearing before the legislature in two
22 weeks to ask any and all questions.

23 As such, all in favor signify by
24 saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 The item passes to the Finance
5 Committee, seven to zero.

6 Our second item is on the first
7 addendum, Clerk Item 231-15, it is a
8 resolution ratifying and approving the act
9 of the County Executive and executing a
10 memorandum of agreement between the Nassau
11 Community College and the Nassau Community
12 College Adjunct Faculty Association.

13 May I have a motion?

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR SCHAEFER: Second.

16 CHAIRMAN KENNEDY: Moved by
17 Legislator Walker, seconded by Legislator
18 Schaefer. We have Acting President Saunders
19 and members of his team present, however,
20 Ranking Member Jacobs and I have agreed to
21 have all the questions heard on Full
22 Legislature in two weeks along with the
23 college budget.

24 As such, all in favor please
25 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item moves to Finance seven
6 to zero.

7 (Whereupon, the following are the
8 continuation of the Rules Committee; 6-1-15)

9 CHAIRWOMAN GONSALVES: A motion,
10 please.

11 LEGISLATOR KOPEL: So moved.

12 LEGISLATOR DUNNE: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Kopel, seconded by Legislator
15 Dunne. Again, I repeat, if there's no
16 additional comments, that the testimony of
17 the committees will be incorporated.

18 All those in favor of the those
19 items just called, signify by saying aye.

20 Any opposed?

21 (No verbal response.)

22 Those items pass unanimously.

23 Let's go back to, I have a number
24 of IMAs, I believe, and I'm going to call
25 them all. Hold on to your seats. Beginning

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2 with 222, this is the IMA with the Village
3 of Williston Park; Item 223, the IMA with
4 the Levittown Fire District; 224, an IMA
5 with the Village of Malverne; Item 225, an
6 IMA with the Garden City Park Fire District;
7 226, an IMA with the Village of Freeport;
8 Item 227, an IMA with the Baldwin Fire
9 District; 228, an IMA with the Valley Stream
10 Union Free School District; Item 229, an IMA
11 with the Manhasset Public Schools in
12 relation to a project to install a walkway;
13 and there's one more IMA, Item 230, with the
14 Seaford Union Free School District.

15 Motion, please.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR DUNNE: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Kopel, seconded by Legislator
20 Dunne. Are there any questions or comments
21 regarding these IMAs?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/6-1-15

2 favor of the IMAs that were just called
3 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The items pass unanimously.

8 Now I believe we have items on
9 the original. I'm going to call 167, a
10 local law to amend the County Charter in
11 relation to the registration of lobbyists.

12 Motion, please.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Kopel, seconded by Legislator
17 Dunne. I believe we have Mr. Podliack is
18 here and Mr. Raganetti.

19 MR. RAGANETTI: Good afternoon,
20 everyone. My name is David Raganetti and
21 I'm a Deputy County Attorney.

22 CHAIRWOMAN GONSALVES: Tell us
23 what's in this local law.

24 MR. PODLIACK: This local law
25 represents a reasonable approach to

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2 disclosure in that it is going to allow
3 lobbyists to register with the County
4 Attorney's Office and thereafter there will
5 be disclosure attached to contracts that are
6 submitted to this legislature.

7 It is based mostly on the law
8 currently in effect in Suffolk County and
9 partially with the law in New York City.
10 That is it in a nutshell.

11 LEGISLATOR NICOLELLO: If a
12 lobbyist is registered with the State of New
13 York, would they automatically be registered
14 with the county?

15 MR. PODLIACK: It would not be
16 automatic. They would have to file their
17 forms with the County Attorney and it would
18 be so indicated on the county attorney's
19 database.

20 LEGISLATOR NICOLELLO: Then there
21 is also periodic reporting requirements?

22 MR. PODLIACK: Absolutely.

23 LEGISLATOR NICOLELLO: With
24 lobbyists in the event there's an active
25 file they are working on?

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2 MR. PODLIACK: Correct. It's on
3 a four times a year basis and there's also
4 an annual.

5 LEGISLATOR NICOLELLO: Thank you.

6 CHAIRWOMAN GONSALVES: Minority
7 Leader Abrahams.

8 LEGISLATOR ABRAHAMS: How are
9 you, Gerry?

10 MR. PODLIACK: Good. How are you?

11 LEGISLATOR ABRAHAMS: Good. I
12 just have a couple of questions in regard to
13 the disclosure form that I'm assuming the
14 County Executive's disclosure registry bill
15 or lobbyist registry bill has.

16 In the seventh item, it discusses
17 the term lobbyist. It does not include any
18 officer, director, trustee, employee,
19 counsel or agent of County of Nassau or
20 state of Nassau when discharging his or her
21 official duties.

22 First let me ask. Did you
23 prepare this?

24 MR. PODLIACK: Most of the heavy
25 lifting was done by Mr. Raganetti.

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2 LEGISLATOR ABRAHAMS: Is that the
3 gentleman next to you?

4 MR. PODLIACK: That's correct.

5 LEGISLATOR ABRAHAMS: So when
6 discussing item seven, the term lobbyist
7 does not include any officer, director,
8 trustee employee, counsel or agent of the
9 County of Nassau, State of New York when
10 discharging his or her official duties, are
11 you familiar with that section?

12 MR. RAGANETTI: Yes.

13 LEGISLATOR ABRAHAMS: It sounds
14 like to me when I read this section, this
15 would not include any public officials or in
16 this case, more particularly, it wouldn't
17 include any correspondence or communication
18 or anything to do with senator Dean Skelos?

19 MR. RAGANETTI: So the implied
20 question there is?

21 LEGISLATOR ABRAHAMS: I don't
22 want to imply. Let me be straight forward.
23 Sounds like to me then, Dean Skelos would be
24 omitted from this particular sequester.

25 MR. PODLIACK: As would every

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2 other member of the senate.

3 LEGISLATOR ABRAHAMS: Yes. And
4 every member of the county. The question is
5 why? Why would we want to create that
6 loophole? Why wouldn't we want them to be a
7 part of this?

8 MR. PODLIACK: I would think that
9 we would want various levels of government
10 to talk to one another.

11 LEGISLATOR ABRAHAMS: Yes. But
12 we have no problem with you talking, but we
13 want it disclosed. We want to know the
14 nature of the conversation. I have no
15 problem with the County Executive talking to
16 John Flanigan or, whoever, Jack Martins,
17 whoever, we just want it disclosed. It is
18 part of this bill.

19 MR. RAGANETTI: I think the
20 situation you are referring to, the official
21 would not be a lobbyist but perhaps would
22 show up elsewhere if they are dealing with
23 lobbyists and that fact would be disclosed
24 by the law as written.

25 LEGISLATOR ABRAHAMS: I'm sorry.

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2 Where would that be disclosed? I'm
3 confused. Not sure I'm following this.

4 MR. RAGANETTI: Could you kind of
5 reiterate the scenario that you're referring
6 to?

7 LEGISLATOR ABRAHAMS: Let's use
8 the present day one. If there is a
9 situation similar to what happened with
10 AbTech Industries, and there are
11 conversations that are taking place between
12 the County Executive and Majority Leader in
13 the senate, then I would think we would want
14 to capture that in this document somewhere.
15 So I'm trying to figure out where we would
16 capture that conversation.

17 The way this is written, there
18 was a lobby for a particular entity, whether
19 it be -- not Majority Leader Skelos, with
20 his son, Adam Skelos, where would that be,
21 which item or section of this -- and my
22 counsel referring, it could also be with
23 Dean Skelos as well. But the bottom line is
24 where would that be captured in this
25 document?

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2 MR. PODLIACK: Are you referring
3 to the entire law or are you referring to
4 the form?

5 LEGISLATOR ABRAHAMS: I'm
6 referring to the form, or maybe the answer
7 is it wouldn't be captured, which begs the
8 question of why we're doing this. If it's
9 not going to capture AbTech, then I don't
10 know what we're doing, or capture a future
11 Abtech, I don't know what we're doing.

12 MR. PODLIACK: We are going to
13 take a further look at this, legislator, and
14 we will get back to you.

15 CHAIRWOMAN GONSALVES: I have a
16 question to ask, just to follow in the same
17 footsteps. Wouldn't it be his son that
18 would be captured in this so-called lobby or
19 disclosure form and not the senator?

20 MR. PODLIACK: Under the
21 circumstances that would happen, where any
22 member of someone's family who is not a
23 representative, or a public figure, or
24 someone under that definition, there are
25 circumstances where those people acting as

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2 lobbyists would in fact be captured by that
3 form.

4 CHAIRWOMAN GONSALVES: Legislator
5 Jacobs.

6 LEGISLATOR JACOBS: What happened
7 was horribly unfortunate and the whole idea
8 of wanting a better bill to protect us
9 against this ever happening again has to be
10 very clear and this is not clear. It's not
11 clear what it is that would cover something
12 that would stop what happened from happening
13 again.

14 I think if it's not clear to us,
15 believe me it's not clear to the public out
16 there. They are much aware of what happened
17 here.

18 So, I think just logically you
19 said you need some time to go over it. I
20 mean, logically you should take time to go
21 over it. Truthfully, we don't get any glee
22 sitting up here voting against contracts.
23 We don't find any solace in not voting for
24 something that normally we would if it was
25 clear to us if the answers were clear.

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2 But the gentleman who got up to
3 speak before, I know them very well, very
4 well schooled in their field, but they were
5 very honest with us. Only to the best of
6 their knowledge could they say something was
7 followed. They couldn't say it in a general
8 capacity because they are not the people at
9 the top. That's what we need, we need to
10 have a law with teeth. You want a law that
11 has teeth to avoid a recurrence of what
12 happened.

13 I'm not a lawyer. I'm just
14 talking to you as a lay person who doesn't
15 like the fact that it happened under all of
16 our watch.

17 So I think we all should feel the
18 same way. Let's do it right. Look, we
19 thought our law covered everything. Perhaps
20 you don't agree that it needs all that.
21 That's fine. But give us enough to show us
22 where it's going to stop that from happening
23 again. We don't feel that this does.

24 CHAIRWOMAN GONSALVES: Legislator
25 Nicolello.

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2 LEGISLATOR NICOLELLO: Under the
3 definition of lobbyist, or requirement of
4 registration, the lobbyist has to accept --
5 or receive a certain amount of income on
6 behalf the client, correct? In order to
7 have to register, you have to receive \$1,000
8 worth of income from a client, correct?

9 MR. RAGANETTI: There is a
10 threshold for compensation or expenses, yes.

11 LEGISLATOR NICOLELLO: So I'm not
12 even sure if state officials, senators,
13 assembly people, can accept compensation to
14 lobby another entity of government. So
15 that's one question. That may not even be
16 possible, so, if that's not possible,
17 therefore they can not under any
18 circumstances, even if this language was in
19 here, have to register as a lobbyist. I
20 think it should be obvious to anyone that we
21 don't -- assemblymen, senators, other state
22 officials talk to us on a regular basis
23 about bills because that's their job. We
24 talk to them. We should be. We can't break
25 down that communication.

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2 Again, I don't know that a state
3 official can accept funds, that individual
4 can accept funds to lobby on behalf of a
5 client, another level of government. So
6 maybe we need to answer that question. Even
7 it -- the scenario that was being discussed
8 is Senator Skelos, there is no indication
9 anywhere that Senator Skelos accepted any
10 money on behalf of any client. If that's
11 the issue, then even if this language wasn't
12 in here, he wouldn't have shown up, he
13 wouldn't have registered. So, his son would
14 have had to register, which I think is the
15 point.

16 I think that's what we are trying
17 to capture. Obviously we are trying to do
18 something reasonable without breaking down
19 the levels of communication that exist
20 between current and state and local
21 officials. Again, it's all about being
22 reasonable without going overboard.

23 CHAIRWOMAN GONSALVES: Ms.
24 Loconsolo.

25 MS. LOCONSOLO: Liz Loconsolo,

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2 counsel to County Executive Mangano.

3 I would just like to clarify one
4 thing, if you look at the lobbyist law, in
5 addition to the very broad definition of
6 lobbyist and the very broad definition of
7 lobbying activities, it also includes the
8 direction to every vendor to file a
9 disclosure form.

10 On that disclosure form, there's
11 a requirement for the vendor to indicate
12 whether or not he utilized a lobbyist.

13 In the case of AbTech, if Adam
14 Skelos was used, regardless of what his
15 title was, as a lobbyist, AbTech would have
16 had to put that on the form. It's very
17 clear. Once somebody is listed as a
18 lobbyist, they are required to register as a
19 lobbyist in Nassau County. So when you look
20 at the entirety of that bill, it absolutely
21 would cover any situation where a contractor
22 uses someone to promote something to the
23 county, or to push something with the
24 county. The vendor has to disclose it and
25 the lobbyist has to disclose his own

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2 activities.

3 CHAIRWOMAN GONSALVES: Minority
4 Leader.

5 LEGISLATOR ABRAHAMS: This
6 disclosure form would capture Adam Skelos'
7 involvement in terms of advocating on behalf
8 of AbTech?

9 MS. LOCONSOLO: Assuming that
10 AbTech used him as a consultant lobbyist,
11 whatever, to promote their particular
12 contract, the vendor would have been
13 required to file the form that includes a
14 statement of whether or not they used a
15 lobbyist.

16 So, this is a lobby registration
17 and disclosure law, but to have a checks and
18 balance it includes the vendor registration
19 and -- I'm sorry not registration,
20 disclosure form.

21 So, in the first instance, the
22 contractor must indicate whether or not he
23 utilized the services of an individual to
24 promote or to perform any of the activities
25 as defined on page -- I don't have the page

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2 number, but there is a definition of
3 lobbying activities, and there is a
4 definition of lobbyist.

5 So, in the first instance, the
6 vendor has to disclose whether or not he
7 utilized the services of anyone to push his
8 particular contract, product, or what have
9 you. Once he's done that, he's required to
10 have that individual fill out the lobbyist
11 registration and disclosure form.

12 LEGISLATOR ABRAHAMS: In the
13 involvement with Senator Skelos, in terms of
14 what we've seen, allegedly, of course, in
15 some of the criminal complaint that was
16 filed, in regards to that matter, now,
17 technically, Mr. Skelos did not receive the
18 \$1,000 threshold as a lobbyist to be deemed
19 to be a lobbyist as I think was pointed out
20 by the Deputy Presiding Officer.

21 But I think that makes the
22 situation worse. I think you should remove
23 the threshold of \$1,000.

24 MS. LOCONSOLO: The threshold is
25 much less than other jurisdictions,

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2 including I believe New York City and
3 Suffolk County. Their threshold is \$5,000.
4 We have reduced it to \$1,000.

5 LEGISLATOR ABRAHAMS: Which I
6 applaud, but what I'm saying is then,
7 Mr. Skelos, meaning Mr. Dean Skelos, his
8 involvement wouldn't be captured anywhere on
9 these forms because he didn't receive a
10 \$1,000 compensation, but he clearly lobbied
11 for AbTech. It was in the criminal
12 complaint. I don't want to get into the
13 allegations, but it was part of the
14 allegations in the criminal complaint.

15 LEGISLATOR NICOLELLO: Wouldn't
16 you at that point, then every assemblyman
17 and senator, wouldn't every one of them have
18 to register as a lobbyist in Nassau County
19 at that point, because they all talk to us.

20 LEGISLATOR ABRAHAMS: Could be.
21 Could be. Could be.

22 LEGISLATOR NICOLELLO: So they
23 have to file quarterly reports. I don't
24 know if we can do it, number one. And,
25 number two, I don't think -- I think it's

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2 adding a cumbersome process that's going to
3 create an impediment for our communications
4 with our colleagues in government.

5 CHAIRWOMAN GONSALVES: According
6 to my counsel, I think if this was what you
7 are asking for, we need to go to New York
8 State to get it.

9 LEGISLATOR ABRAHAMS: I can't
10 understand for the life of me why we
11 wouldn't want those communications out
12 there. That's transparent. That's a
13 transparent process.

14 CHAIRWOMAN GONSALVES: If I talk
15 to my senator on an issue, okay, and I would
16 really encourage him to consider the issue,
17 without saying do it, am I a lobbyist?
18 That's what you're telling me.

19 LEGISLATOR ABRAHAMS: But, Madam
20 Presiding Officer, if you are urging him to
21 do something, you should have to disclose
22 it.

23 CHAIRWOMAN GONSALVES: Guess
24 what? But that doesn't mean because I urge
25 him to do it he's going to do it.

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2 LEGISLATOR ABRAHAMS: No, it
3 doesn't.

4 CHAIRWOMAN GONSALVES: There's
5 nothing binding.

6 LEGISLATOR ABRAHAMS: Absolutely.

7 CHAIRWOMAN GONSALVES: Come on.
8 That means that you don't want us to
9 communicate with the upper levels of
10 government.

11 LEGISLATOR ABRAHAMS: No, no.
12 You're seeing it the wrong way.

13 CHAIRWOMAN GONSALVES: Oh, no.
14 No, no.

15 LEGISLATOR ABRAHAMS: You're
16 seeing it the wrong way. I actually want
17 you to communicate, I just want you to
18 disclose it that you communicated.

19 CHAIRWOMAN GONSALVES: But I
20 don't have to declare myself as a lobbyist
21 and that's what you're trying to tell me.

22 LEGISLATOR ABRAHAMS: Then you
23 just need to disclose your communication. I
24 think you're taking it one step further and
25 saying we don't want you to communicate.

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2 We want everybody to communicate.
3 We want county legislators to communicate
4 with state, with federal, and vice versa.
5 We want all the communication. We just
6 think it needs to be disclosed.

7 LEGISLATOR JACOBS: There
8 shouldn't be anything that's not
9 transparent. That's the bottom line.

10 CHAIRWOMAN GONSALVES: As I said
11 to you before, maybe this is something you
12 should take up with the state.

13 LEGISLATOR DUNNE: What happens
14 if Carrie speaks with his sister, she's an
15 assemblywoman? He has to report every time
16 he talks to her.

17 LEGISLATOR ABRAHAMS: If he is
18 talking to her about a particular bill or
19 contract, yes. Why wouldn't you want to
20 know that.

21 LEGISLATOR DUNNE: She would have
22 to, is what you're saying.

23 LEGISLATOR ABRAHAMS: But why
24 wouldn't you -- it's unworkable. We don't
25 want transparency then.

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2 CHAIRWOMAN GONSALVES: All of us
3 are concerned that our school districts
4 receive our fair share of state aid. I call
5 my senator, my assemblyman, and say, hey,
6 don't forget East Meadow, North Merrick,
7 North Bellmore, whatever the case, does that
8 make me complicit in lobbying?

9 LEGISLATOR ABRAHAMS: That's not
10 a contract, Madam Presiding Officer.

11 CHAIRWOMAN GONSALVES: But it's
12 still communicating. Where do you draw the
13 line?

14 LEGISLATOR ABRAHAMS: But we're
15 discussing a bill for contracts, right?

16 CHAIRWOMAN GONSALVES: I don't
17 believe any of us talk do to our legislators
18 in regard to a contract.

19 LEGISLATOR ABRAHAMS: Let's not
20 cloud the issue. This is a disclosure form
21 for contracts. So we're not talking about
22 bills or state initiatives. We are talking
23 about contracts.

24 CHAIRWOMAN GONSALVES: What is
25 the likelihood of my calling, say, my

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2 senator, and asking him to push a certain
3 contract, what is that likelihood? I have
4 been in this business for 18 years and I
5 never had an occasion to petition on behalf
6 of a contractor here in Nassau County.

7 LEGISLATOR ABRAHAMS: Norma, it's
8 our disclosure form. It's our bill. You
9 have to think of it the other way. What's
10 the likelihood of your state senator or your
11 state assemblyman, or your congressional
12 member, or whoever, calling you to push for
13 a contract. That's the way you have to look
14 at it.

15 CHAIRWOMAN GONSALVES: Guess
16 what?

17 LEGISLATOR ABRAHAMS: I think
18 it's pretty high.

19 CHAIRWOMAN GONSALVES: It's never
20 happened to me. I don't know about you.
21 It's never happened to me where I've had an
22 upper statesman call me to push for a
23 contract.

24 LEGISLATOR ABRAHAMS: It hasn't
25 happened to me.

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2 CHAIRWOMAN GONSALVES: I don't
3 know of anybody on this board it has
4 happened to.

5 LEGISLATOR ABRAHAMS: But it is
6 alleged to have happened in this county.

7 CHAIRWOMAN GONSALVES: Alleged
8 but hasn't been proven. Until it's proven,
9 I don't know where we are going with this.

10 LEGISLATOR JACOBS: The truth of
11 the matter is, if the law that we finally
12 adopt doesn't have loopholes in it, then
13 we've covered it. Then we've covered it.
14 Then someone can't say, well, it didn't say
15 I couldn't, but it doesn't say you should.
16 Everything should be in black and white.

17 LEGISLATOR KOPEL: I just want to
18 say, if you pass a law that's not workable
19 and it's not enforceable, all you have done
20 then is engendered disrespect for the law.
21 You know, passing laws is a great thing and
22 it's a great statement of maybe principle
23 and so forth, but if it's not real, if it's
24 not realistic, then it's just foolish.

25 In this case, what you are

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2 proposing, it just gives license to
3 potentially to prosecutors to make all kind
4 of wild allegations based upon whatever they
5 consider.

6 LEGISLATOR JACOBS: They're doing
7 it now. So why don't we just realize --
8 look, the questions we were asking during
9 the contract portion, was actually because
10 nothing was adopted to avoid -- to answer
11 those questions. That's all to avoid that.

12 LEGISLATOR KOPEL: Adopt
13 something that makes sense. You can go and
14 that's I guess the crux of the question. We
15 disagree as to what things that you can
16 actually require that are realistically
17 enforceable, and that are clear and that are
18 understandable so that people can avoid
19 being prosecuted. It just gets too wide,
20 catches too many things and it's too
21 dangerous.

22 LEGISLATOR JACOBS: The truth of
23 the matter is, Howard, if you heard some of
24 our questions today, so the truth of the
25 matter is, there would be nothing wrong --

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2 we're not going to be happy with contracts
3 that require a lot of bidding, and we are
4 not -- if those questions are not answered,
5 if you want to make it as attached to
6 something that's only because the law is
7 weak and we don't have a law that is strong
8 enough to make those answers forthcoming.

9 But the truth of the matter is,
10 there are ways to get that -- that
11 information should be received by anyone on
12 rules who is voting on contracts from this
13 point forward. What we were asking was not
14 anything that was out of line. It was
15 something that --

16 LEGISLATOR KOPEL: You are asking
17 for something that some people don't even
18 know. You are asking for things that --

19 LEGISLATOR JACOBS: Who you spoke
20 to?

21 LEGISLATOR KOPEL: No, no. Like
22 when you're asking, does anybody know if
23 anybody spoke to somebody else about this.

24 LEGISLATOR JACOBS: No, that's
25 not what you're asking.

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2 LEGISLATOR KOPEL: No, no. I
3 said that's what you were asking earlier. I
4 heard that. In the Rules Committee, during
5 the contracts portion, I should say. And
6 people were continually saying, to the best
7 of their knowledge, they don't know.

8 LEGISLATOR NICOLELLO: Just a
9 real quick one. We are a subsidiary of the
10 State of New York. I don't know that we can
11 require their assemblymen and state senators
12 to do anything. We don't have power over
13 them. They have power over us by the nature
14 of the relationship. So, even if we wanted
15 to do this, I don't know if it would be
16 legal to do it.

17 And, number two, again, I don't
18 know if state officials are empowered to
19 lobby for money at any other level of
20 government. So, even before we would
21 consider that, we would have to have those
22 questions answered.

23 LEGISLATOR ABRAHAMS: Madam
24 Presiding Officer, if I may?

25 CHAIRWOMAN GONSALVES: I will

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2 take another comment and then I have an
3 amendment to offer.

4 LEGISLATOR ABRAHAMS: Maybe you
5 should do your amendment before because I
6 was going to say, obviously this is in
7 committee today and we're going to
8 reconsider it for Full Legislature in two
9 weeks, if there is some agreement that we
10 are going to work with the County Attorney's
11 Office to strengthen and make the bill more
12 clearer, I think we would be inclined to
13 support it through committee today in hopes
14 that that actually happens in two weeks. If
15 not, well --

16 CHAIRWOMAN GONSALVES: I have an
17 amendment in the nature of a substitution
18 and I'm asking that I have a motion to amend
19 this legislation.

20 LEGISLATOR NICOLELLO: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Nicolello, seconded by Legislator
24 Kopel.

25 The amendment reads, and I'm

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2 going to try to do it quickly and
3 understandably as possible. The amendment
4 states that lobbyists who register with New
5 York are exempt from filing with Nassau
6 County, provides for emergency measures for
7 emergency contracts and therefore amends the
8 disclosure form regarding affiliate
9 companies. In other words, it's the
10 principal company involved, correct?

11 So that's the amendment that's
12 being offered. I think this would serve for
13 clarification and this an amendment
14 regarding emergency contracts that the
15 vendor, in order to fill out the lobbyist
16 disclosure form prior to entering into a
17 contract with the county, the County
18 Executive required all subsidiaries and
19 affiliates to file separate disclosures.
20 Our law only requires subs and affiliates to
21 file if they are participating in the
22 contract.

23 I believe that it goes on to
24 express the fact that the paperwork can
25 catch up at the time of ratification by the

1 Rules Committee/6-1-15

2 Rules Committee. Correct? I hope that was
3 clearer than what I read before.

4 Any comments regarding that?

5 (No verbal response.)

6 The next step is to vote on the
7 amendment I just read regarding emergency
8 contracts. So all those in favor of that
9 amendment signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Six zero. The item as amended,
14 all those in favor signify by saying aye.

15 (Aye.)

16 Any opposed?

17 LEGISLATOR ABRAHAMS: Just to
18 clarify our point, we are prepared to, like
19 I said, we did vote yes for this particular
20 item. We truly believe in the next two
21 weeks it is our hope that the County
22 Attorney's Office as well as the
23 administration will be open to working with
24 both sides to remove some of the ambiguity
25 with the bill and, if that's the case, we

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2 will be prepared to vote for it in the Full
3 Legislature, then, if not, our vote will
4 actually change to a no vote.

5 CHAIRWOMAN GONSALVES: It's a six
6 nothing vote.

7 Now we have Item 209, to accept a
8 gift offered by a donor to the Nassau County
9 Police Department.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Kopel.

16 SERGEANT STEPHANOFF: Sergeant
17 Greg Stephanoff. Item 209-15 is an item to
18 allow the Nassau County Police Foundation to
19 donate funds to the Nassau County Department
20 for the purchase of two police service dogs
21 for our K-9 unit. These two dogs will
22 replace dogs that are deemed to need to be
23 retired from service.

24 CHAIRWOMAN GONSALVES: Any
25 questions for the sergeant?

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2 (No verbal response.)

3 There being none, all those in
4 favor signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The contract passes six to zero.

9 I'm going to skip 210 and go to
10 211 because we may have more discussion on
11 210. So, 211 is a resolution to confirm the
12 County Executive's appointment of Candice A.
13 Coleman to the Taxi and Limousine Board
14 pursuant to the Nassau County Charter,
15 Section 203, and Article 21B, Section
16 221-60B.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Any questions or comments regarding
23 this appointment?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of Item 211 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item passes five to zero.

9 We are going to 210, an ordinance
10 to create a land bank in Nassau County.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello.

17 MR. RAGANETTI: I'm back. This
18 is an ordinance to create a land bank in
19 Nassau County essentially pursuant to
20 Article 68 of the Non For Profit Corporation
21 Law of New York State. The state authorize
22 20 land banks to be created by
23 municipalities and this would be the land
24 bank for Nassau County.

25 CHAIRWOMAN GONSALVES: Any

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2 questions? Legislator Jacobs.

3 LEGISLATOR JACOBS: I had written
4 down some notes. I want to ask you about a
5 few things. We had a land bank bill that we
6 suggested. In that bill we gave more voice
7 on the board to municipalities most effected
8 by the zombie houses and there is a way to
9 figure that out. Obviously there is going
10 to be a registry of the zombie houses and
11 you know where the majority of them are.

12 It includes the head of the
13 municipality with the most zombies, this
14 sounds crazy, but as well as a
15 representative from the sustainable and
16 housing nonprofit. I thought those two
17 indicators were important for this bill to
18 do what we would like to see it do.

19 The community representation
20 piece in our bill mirrors the state enabling
21 legislation. That's an important point.
22 What we are asking for is not a new thing.
23 It's what the state enabling legislation
24 asks for.

25 It also prioritizes affordable

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2 housing followed by public spaces retail,
3 and wildlife conservation where appropriate.

4 So, the point is, we're not
5 reinventing the wheel. That's what I'm
6 trying to say. It requires a two thirds
7 approval on the board to vote to ensure a
8 true consensus of the board of the land
9 bank.

10 Today we are -- just me, I'm
11 going to pass this bill through the
12 committee with the understanding that the
13 conversation with the administration can
14 continue a conversation about possible
15 amendments to ensure that this is the
16 strongest land bank bill possible. We want
17 to see it really blow the others out of the
18 water, that we are going to do what is
19 right, we're going to follow the state
20 legislation, and we're going to make it
21 strong enough that it does exactly what it
22 is supposed to do.

23 This is an opportunity to we get
24 now and our feeling is, let's not waste it.
25 The main thing is, some of our people who

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2 have been vocal advocates, have met with the
3 administration, am I correct?

4 We have a meeting planned, and,
5 Norma, I would hope that you have people
6 represented there too because there is room
7 here to speak and there's room to
8 strengthen. This is really good. It's
9 really been needed for so long. I think it
10 would be foolish for us to waste it. I
11 don't know if you want to say anything or
12 not, but I wanted to tell you how we're
13 feeling.

14 CHAIRWOMAN GONSALVES: I was
15 listening to what you had said. I need to
16 clarify something.

17 In order for this legislation to
18 go through and for this board to operate,
19 there has to be a full contingency in place,
20 am I correct? In other words, every member
21 who is going to be serving on this board has
22 to be named in that legislation.

23 MR. RAGANETTI: Yes. That's
24 absolutely correct.

25 CHAIRWOMAN GONSALVES: Right now

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2 we don't have that situation because we are
3 still missing an appointment from the
4 minority caucus.

5 The other thing is, the criteria
6 that is set for this board is not set by the
7 board itself, am I correct? Let me clarify
8 this for you. This board is going to go out
9 there and try to get grantors. When they
10 get the grantors, it is at grantors that are
11 going to set the criteria, correct?

12 LEGISLATOR JACOBS: I don't know
13 about that.

14 CHAIRWOMAN GONSALVES: Let me
15 tell you my experience with grants and I had
16 a number of years of doing grants with the
17 State of New York. When we got the grant,
18 they told us what we had to do to satisfy
19 that grant. Would that be the case in this
20 situation?

21 MR. RAGANETTI: I think that that
22 would depend on the grant and I understand
23 what you are saying.

24 CHAIRWOMAN GONSALVES: For
25 example, I'm a leader of a veterans group,

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2 okay, and I am willing to give this board or
3 committee, whatever it is, a grant.

4 That organization would now be in
5 a position to establish the criteria to use
6 the monies that they are willing to give; am
7 I correct?

8 MR. RAGANETTI: Yes, I believe
9 there would be criteria for use of the grant
10 money. I can't speak to specifics.

11 CHAIRWOMAN GONSALVES: Let's say
12 it's a veterans group and they want these
13 homes for veterans and they're willing to
14 give us the money to do this. We now have
15 to abide by your request; am I right?

16 MR. RAGANETTI: Yes. As long as
17 it's a valid purpose for the land bank.

18 CHAIRWOMAN GONSALVES: Right. So
19 this is the thing we have to keep in mind.

20 LEGISLATOR JACOBS: I think it's
21 good for us to know, when we were all
22 standing there that day with the attorney
23 general, he said that -- obviously we had to
24 apply for it, but he's committed to putting
25 money into this upon request.

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2 CHAIRWOMAN GONSALVES: Sure. And
3 I'm sure that he will also have criteria to
4 give us that money.

5 LEGISLATOR JACOBS: Absolutely.
6 There should be criteria. That's what I'm
7 saying, the closer our bill can mirror what
8 the state's enabling legislation would be,
9 the better we'd be. That's my main point.

10 CHAIRWOMAN GONSALVES: We have
11 now two weeks, and we will come back and
12 revisit this on the 15th. In the meantime,
13 whatever has to be done, of course, will be
14 done. So I don't want to keep you any
15 longer.

16 I'm going to call this item. All
17 those in favor of Item 210, which is to
18 create a land bank in Nassau County, signify
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 It passes five to zero and see
24 you soon, I'm sure.

25 Now I don't think there is any

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2 other item that we did not call. And I do
3 believe I called the IMA number 230 with all
4 the other IMAs. Then we are good.

5 Motion to adjourn.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR NICOLELLO: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Nicolello. We are adjourned.

11 (Whereupon, the Rules Committee
12 adjourned at 6:05 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of June, 2015.

FRANK GRAY